

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Wednesday, 18 April 2007

(Extract from book 5)

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Professor DAVID de KRETZER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Scrutiny of Acts and Regulations Committee — (*Council*): Mr Dalla-Riva, Mr Eideh, Mr Elasmarr and Ms Pulford.
(*Assembly*): Mr Brooks, Mr Carli, Mr Jasper, Mr McIntosh and Mr Thompson.

Heads of parliamentary departments

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey
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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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| Leane, Mr Shaun Leo | Eastern Metropolitan | ALP | Vogels, Mr John Adrian | Western Victoria | LP |

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Wednesday, 18 April 2007

The PRESIDENT (Hon. R. F. Smith) took the chair at 9.32 a.m. and read the prayer.

The PRESIDENT — Order! This is an opportune time for me to remind the house about mobile phones. This is the third time in two days that a phone has gone off. You all have vibration mode; I suggest you use it.

PAPER

Laid on table by Clerk:

Ombudsman — Investigation into a disclosure about WorkSafe's and Victoria Police's handling of a bullying and harassment complaint, April 2007.

MEMBERS STATEMENTS

Mr Koch (Western Victoria): health

Mr P. DAVIS (Eastern Victoria) — I wish to make a statement in relation to our colleague, David Koch, who was taken unwell yesterday afternoon. This morning I have had the opportunity to speak with his wife, Jan. David has stabilised, is in good spirits and is in excellent care at St Vincent's Hospital.

I would like to thank all members of the house and staff of the Council who assisted with what was a very difficult situation for the house to handle yesterday afternoon. It was with the expeditious assistance of both staff and members that David was able to be taken to good care.

I am hopeful that David will soon be able to return to his duties in both the house and his electorate. I am sure we will give him all the time he requires to make a full and complete recovery. In that respect I have spoken with the Leader of the Government and anticipate that a house division pair arrangement will be provided for as long as is required to enable that to happen.

Rail: Sydenham and Werribee lines

Ms HARTLAND (Western Metropolitan) — I have spoken before in the house about my adventures using public transport to come into Parliament on the Sydenham and Werribee train lines. There are days when I am not able to get on the trains between 7.30 a.m. and 8.30 a.m., because the carriages are so crowded.

When I have rung the Connex feedback line I have been told they will ring back in one to seven days, but I

am still waiting for those calls. Having written to a number of local newspapers asking people who use public transport to contact me, I have received a flood of letters. Obviously people are not getting the satisfaction they need from Connex, and their telephone calls are not being replied to.

I will continue to use public transport, as will my fellow Greens. I am not sure how many other MPs use public transport, but I am sure they would like to get updates on a weekly basis of how well the trains are not running!

Tallygaroopna Football and Netball Club: change rooms

Ms DARVENIZA (Northern Victoria) — I take this opportunity to say how pleased I was to have the opportunity to officially open the new change room facility at the Tallygaroopna Football and Netball Club on the weekend. I was pleased to be able to do that with my parliamentary colleagues Wendy Lovell and the member for Shepparton in the other place.

This is a fantastic facility, and I take this opportunity to congratulate those who were involved in making this new facility happen. I thank Mr Glenn Scott, the chief executive officer of the Victorian Country Football League, and Mr Dennis Patterson, president of the Tallygaroopna Football and Netball Club.

I thank the Greater Shepparton City Council for making a significant contribution to the upgrading of the Tallygaroopna recreation reserve change rooms. I also congratulate the Tallygaroopna Football and Netball Club on managing to raise \$40 000 towards these new change rooms, which is a significant contribution from a small community. It is a great new facility, and I am sure it will contribute to the Tallygaroopna Football and Netball Club succeeding in the future.

Hazardous waste: Lyndhurst

Mrs PEULICH (South Eastern Metropolitan) — Recently I had the opportunity of attending a breakfast meeting which was kindly organised for local members of Parliament by the City of Greater Dandenong. It was a meeting that I sought in order to be briefed on key issues facing that electorate. The issues, contained in an excellent briefing paper, were well presented.

The PRESIDENT — Order! I do not know what is going on in here with mobile phones, but it is unacceptable, particularly from Hansard.

Mrs PEULICH — The meeting was attended by the mayor and councillors Memeti, Kelly and Brown,

the council's chief executive officer, John Bennie, and some of the senior directors as well as my colleague Gordon Rich-Phillips and the member for Dandenong in the other place. During that meeting, and in language that was sedate and soft, possibly due to the close relationship between some Labor members of Parliament and some of those on the council, they expressed concern and regret that the Minister for Water, Environment and Climate Change in the other house had not seen fit to meet with them to place on the record their concerns in relation to the Lyndhurst landfill facility.

I seek an immediate response from the minister about an opportunity for these elected representatives to lay on the table their strategy for the facility to be audited independently and how any concerns that arise from that can be addressed in order to satisfy the constituency they have been elected to represent, as we have been. I would urge the minister to acquiesce to that request as soon as possible.

Polish Seniors Day

Ms TIERNEY (Western Victoria) — On 29 March this year I had the honour of attending and speaking at the Polish Seniors Day. The event was hosted by the Geelong Polish Club at White Eagle House and was attended by over 700 Polish people from all over Victoria. The day was a procession of cultural performances from various Polish seniors groups. It is an extremely talented and committed community that understands the importance of keeping a culture alive through language, dance, poetry, song, recipes and unique Polish humour.

The Polish seniors community members must also be applauded for reaching out and searching for new intellectual and artistic rigours, regardless of their age. This is symbolised by the annual poetry competition. They understand that their intellectual nourishment will sustain future generations. The community also recognises the importance of social welfare policy and has the finely tuned advocacy skills and nous for pursuing the provision of services for its own members.

I would like to thank the Polish senior citizens community for the role it continues to play in making this country more mature, more worldly, more respectful and more appreciative of what all people bring to the community table.

Mildura Brewery: non-toxic beer

Ms LOVELL (Northern Victoria) — On a recent visit up to the magnificent Sunraysia district with my

parliamentary colleague Mrs Petrovich I was shouted to a sample of the new Mildura Brewery non-toxic mid-strength beer by Mr Don Carrazza, the owner of the Mildura Brewery. The flyer for the new beer encourages the community to 'Buy a six-pack and celebrate'. It goes on to say:

It was declared in January 2007 that a toxic waste dump would not proceed in the Sunraysia region. After enormous community effort and a dogged fight this outcome was reason for celebration.

To mark this splendid victory the Mildura Brewery has produced a mid-strength beer with the finest local and organic ingredients including wheat, dried fruit and citrus: the very products that could have been jeopardised had the dump gone ahead. Enjoy your non-toxic beer in natural surroundings.

I certainly congratulate the Mildura community on the campaign it waged against the Bracks government's plan to put a toxic waste dump in the Sunraysia region. It would have put at risk the produce that we produce in and our exports from the region. The community did a wonderful job and it is now celebrating with its own non-toxic mid-strength Mildura Brewery beer.

Schools: Western Metropolitan Region

Mr EIDEH (Western Metropolitan) — I rise to pay due regard to the great schools within my electorate of Western Metropolitan Region for their excellence in delivering exemplary on-the-job teacher training, an area critical to ensuring quality education for the children of our great state. I further wish to congratulate them for creating a strong culture of continuous improvement, something which we would all agree is one of the finest examples of education. Ascot Vale Primary School, Deer Park Primary School, Essendon Keilor College, Calder Rise Primary School, Keilor Downs Secondary College and Roxburgh Rise Primary School have all met the high standards set by the Bracks Labor government for education in our state.

The Bracks government's performance and development culture initiative recognises schools that meet the accreditation standard for five key elements. These include induction programs for new teachers, who are critical to the future of education, feedback to individual teachers on their effectiveness and customised plans for professional learning and development.

The Bracks government is totally committed to supporting teachers through a range of initiatives, including teacher professional leave, induction and mentoring programs and ongoing professional development. The schools that have been recognised have displayed the very best standards in all areas,

leading to enhanced benefits for their students through quality education. Each and every school that has attained such an accreditation should be proud of its staff and of their achievements. As their member I express my own pride in their dedication to education and their students.

Housing: affordability

Mr GUY (Northern Metropolitan) — Unlike many people in this Parliament there is no doubt that the Minister for Planning — who I note is not here — thinks the Property Council of Australia is a smart, decent body that is indeed a voice for leadership in the planning and property communities in Australia, so I was surprised and pleased to receive a letter from Mr Ross Elliott, the director of the property council's Residential Development Council together with a copy of its *Boulevard of Broken Dreams* document, as I understand a lot of other members of Parliament did.

The letter and document also came with an attached squishy, stress-eating banana. The seriousness of the message from the property council comes in the following pages from the letter, and if I have got enough time I would like to read it and hopefully gain the attention of the planning minister — who I note again is not here. Mr Elliott's letter states:

Listen to a gaggle of bank economists and planning officials in this country and you'd be forgiven for thinking that house prices were only influenced by demand-side factors: jobs growth, wages, interest rates. But you will recall that the most fundamental element of economics is not called 'the law of demand', but 'the law of supply and demand'.

Cyclone Larry wiped out three-quarters of Australia's banana crops last year. That reduction in supply saw banana prices rise ...

...

Prices rose not because everyone wanted to suddenly eat more bananas, but because there weren't enough bananas to go around. Supply and demand — two factors working together.

The letter further goes on about land supply. It states:

Supply has been artificially restrained due to unrealistic policy settings, leading to rapid price rises for developable land. New supply is now heavily taxed through a variety of infrastructure charges ...

I could not have said any of this better myself. The planning minister has his head in the sand when it comes to home affordability — or maybe his head is in a banana tree!

The PRESIDENT — Order! I remind the house that yesterday I allowed a little leeway for one member

to use a bandana, but I did not accept his request to wear it. The very reason I did that was because members are not to wear anything that has advertising on it and are not to use props in the chamber. Of course what we are seeing now is that as soon as you give a little leeway, such props come out of the woodwork. For the information of Mr Guy and the rest of the house, that is the last time anyone will use a prop in the chamber.

Liberal Party: federal candidate for Holt

Mr PAKULA (Western Metropolitan) — One of my favourite television segments is 'Tip of the hat/wag of the finger' on the *Colbert Report*. As homage to Mr Colbert, I give a tip of the hat to the Liberal Party for revoking the preselection of Ken Aldred for the federal seat of Holt, but I also give it a wag of the finger for endorsing him in the first place.

It appears that a particular wag of the finger is due to Mrs Peulich, who, if reports are to be believed, played an instrumental role in supporting his preselection. And why? Was it because Mrs Peulich believed he still had a major contribution to make to the federal Parliament? I doubt it very much.

Mrs Peulich — On a point of order, President, Mr Pakula is reflecting on a member, and I would like to categorically repudiate any suggestion or inference that I influenced a single vote —

The PRESIDENT — Order! There is no point of order — and Mrs Peulich will resume her seat.

Mr PAKULA — Was it because Mrs Peulich endorses Mr Aldred's crackpot conspiracy theories? I seriously doubt that, and I seriously hope not. Why, then? It appears it was to make a point to her colleagues — namely, 'Stay out of the south-east and stop messing with my preselection'.

I have seen my share of political infighting, but I think there are cats in Kilkenny who are sitting around and saying, 'Get a load of these guys!'. So bad has it got that Anthony Byrne almost had to add his name to the ranks of Julian Beale and Joan Child as a slayer of this LaRouchite crank — and all because Mrs Peulich had to fire a shot across her colleagues' bows.

Slavery: abolition

Mr SCHEFFER (Eastern Victoria) — This year marks the 200th anniversary of the abolition in 1807 of the slave trade in the British colonies that made it illegal to carry slaves in British ships. It took another 26 years before the Abolition of Slavery Act abolished slavery

itself in 1833. The transatlantic slave trade began in 1502, when the first Africans were captured and shipped to the Americas. The trade was highly profitable. By 1607 the colony of Virginia was founded and became one of the main areas for the arrival of enslaved Africans. About 20 million Africans were taken as slaves. The slave trade profoundly changed human history and remains today a deeply sensitive and contested issue. It is important that the abolition of the slave trade in 1807 be acknowledged in this house.

Increasingly contemporary Britons are recognising how deeply slavery shaped their nation. Britain had some 11 000 slave ships, and its economy thrived on supplying the goods traded for slaves. Few heeded the call of the Quakers that morality should override profit, preferring to accept that the slave trade was the source of their economic prosperity. The grandeur of Britain's historical legacy is a permanent reminder of the wealth generated from slavery.

But throughout the world slavery lives on in contemporary forms such as people trafficking, child labour, bonded labour, serfdom, chattel slavery, servile marriages, sex slavery and the exploitation of domestic and migrant labour. Modern slavery is clandestine, and while it is hard to work out how many people are involved, there is increasing evidence that slavery-like practices are vast and widespread.

United States of America: Virginia Tech shootings

Ms PULFORD (Western Victoria) — I wish to reflect on the tragic shooting that occurred yesterday at Virginia Tech University in the United States that claimed the lives of 32 innocent people and the shooter himself. First of all I would like to give my condolences to the families of the victims who had their loved ones senselessly taken away. It is important not only to feel sorrow for what has happened but to reflect on how these things occur and how they can be prevented in the future. Unfortunately in the US this kind of event is becoming a regular news item rather than a once-in-a-generation disaster.

In 1996, 35 people were murdered at Port Arthur in Tasmania. Unlike the US, though, Australian society — and to its credit the Australian government — realised our gun laws were not tough enough, and Port Arthur was the catalyst for an extensive gun buyback scheme which has made Australia safer.

For all the strengths of the Constitution of the United States, the wide interpretation of the second amendment giving citizens the right to own a gun is outdated and is

a reason for the thousands and thousands of gun-related deaths in the US each year. For the White House to respond to this tragedy straight after such a shooting with the comment that President Bush believes it is 'still every American's right to bear arms' is disgraceful. Mass killings like this will continue to occur unless this stubborn and dangerous attitude by the US government and its people changes.

Parliament: conscience vote

Mr SOMYUREK (South Eastern Metropolitan) — I rise to congratulate the parliamentary leadership of the political parties in this Parliament and the federal Parliament in allowing a conscience vote for the respective bills that deal with somatic cell nuclear transfer.

I followed with interest the debate in the commonwealth Parliament last year and again in the lower house of this Parliament yesterday. I was impressed with the high standard of debate and the profound thought that went into each speech. During this debate, instead of listening to smart people delivering dumb lines we had the pleasure of listening to smart people delivering speeches of intellectual substance. Though rare, free debates such as this do much to diminish the cynicism in the electorate about politics and politicians. With the exception of inaugural speeches, it is very rare for any MP in Australian parliaments to have the opportunity to articulate his or her views or philosophy without the fear of breaching party discipline or being off-message.

In terms of party discipline, the Australian political culture is the most stringent of any country that operates under the Westminster system of parliamentary democracy. Even in the UK, the country from which we inherited our Westminster tradition, MPs are given much more latitude. The media often complain about MPs following the party line and the consequent executive dominance usurping the power of Parliament, yet paradoxically it is the same media that run headlines of rebellion and revolt as soon as an MP exercises any level of independent thought.

Once again I congratulate the respective leadership of the parties that made the decision to allow their MPs a conscience vote. The debate that followed has done our parliamentary democracy proud. With more free debate the electorate may re-evaluate its views of politics and politicians.

SELECT COMMITTEE ON DESALINATION

Proposed establishment

Mr P. DAVIS (Eastern Victoria) — I move:

1. A select committee of seven members be appointed to inquire into and report on desalination as augmentation of Melbourne's water supply.
2. The committee will consist of two members from the government party nominated by the Leader of the Government, two members from the opposition nominated by the Leader of the Opposition, one member from The Nationals nominated by the Leader of The Nationals, one member from the Australian Greens nominated by the Australian Greens Whip, and Mr Peter Kavanagh, MLC, from the Democratic Labor Party.
3. The members will be appointed by lodgement of the names with the President by the persons referred to in paragraph 2 no later than 4.00 p.m. on Friday, 20 April 2007.
4. The first meeting of the committee must be held no later than 4.00 p.m. on Monday, 30 April 2007.
5. The committee may proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
6. Four members of the committee will constitute a quorum of the committee.
7. The chair of the committee will be a non-government member and the deputy chair will be a government member.
8. The committee will advertise its terms of reference and call for submissions and all such submissions received by the committee will be treated as public documents unless the committee otherwise orders.
9. The committee may commission persons to investigate and report to the committee on any aspects of its inquiry.
10. The committee will present its final report to the Council no later than 31 December 2007.
11. The presentation of a report or interim report of the committee will not be deemed to terminate the committee's appointment, powers or functions.
12. The foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Council, will have effect notwithstanding anything contained in the standing or sessional orders or practices of the Council.

In moving the motion before the house to establish a select committee to inquire into and report on desalination as augmentation of Melbourne's water supply, I make this preliminary observation: while such an inquiry is clearly directed at dealing with an option

for necessary additions to Melbourne's potable water supply, the inquiry obviously would have scope to compare that option against others. Interestingly and coincidentally a report was released this week by the Australian Conservation Foundation, the Nature Conservation Council of New South Wales and Environment Victoria. They had commissioned Marsden Jacob Associates, a very reputable consultancy in the area of natural resource and water management, to prepare a report entitled *The Economics of Rainwater Tanks and Alternative Water Supply Options*.

I will refer further to the substance of the report during the debate because, notwithstanding the pre-empting of the findings of the report as reported in some media, it is my observation from a detailed examination of the report that it is very instructive and a useful resource for all members in understanding the range of costs of alternative water supplies. Clearly the findings in this report are that the lowest cost option for generating additional water supplies is catchment thinning, a device that is involved in a long-term trial in Western Australia. It has been reported on variously in Victoria over a period of time and is a significant potential source of additional water. The most expensive option is long-distance pipelines. That gives us all a great deal of food for thought, given the commitment by the current government in Victoria to long-distance pipelines and the resistance to the concept of catchment thinning.

Overlaying all of this is the range of estimated costs of the installation of rainwater tanks across the board. It was found there is a significant degree of variability but that prospectively the costs would be well in excess of the cost range of other available options. The other options include catchment thinning, purchasing irrigation water, demand management, stormwater reuse, indirect potable reuse, dams and surface water, seawater desalination, building sustainability index, non-potable water recycling and long-distance pipelines. The findings in this report are significant in this debate because quite clearly it found that compared to most other options desalination is a viable solution. I will come back to the substance of that later.

What I want to do before getting to the detail of desalination is talk briefly about why we need to talk about water issues in this place. It goes without saying that all of us are aware of the vastly changed circumstances in our community with respect to access to appropriate water supplies and the progressive introduction of various levels of restrictions on the consumptive use of water. The community has been well and truly educated about the crisis we have as a

consequence of inaction on the part of government over a long period of time in respect of the augmentation of the Melbourne water supply.

For example, a decision was made in the mid-1970s by the Hamer government to build the Thomson Dam, and it was not commissioned until 1984. It was the last significant major investment in the augmentation of Melbourne's water supply — and the decision was made more than 30 years ago. Since that time there has been complete inertia on the part of policy-makers with regard to dealing with the expanding population of Melbourne, the requirement for additional water for consumptive use and the security-of-supply needs of a sophisticated contemporary society.

To put the Thomson Dam in perspective, what is interesting of course is that it supplies approximately 60 per cent of Melbourne's water storage requirements but at the present time it is running at 18.2 per cent of its storage capacity in the context of Melbourne's water storages now being at 30.9 per cent — that is, more simply expressed they are 70 per cent empty. It is no wonder we are facing further and severe restrictions on water when one looks at the water capture and storage over the last decade.

Aside from the high-rainfall year of 1998, when there were in fact floods which many of us can remember, since 1997 the Melbourne water storage system has been in virtually perpetual decline. We have had a decade of declining water availability, and yet in that time no decision has been made by government to protect the future of Melbourne's water resources for the community. We are coming very late, I suggest, to the place where we need to be, which is to have government take decisive action.

Melbourne's population has grown over time, placing additional demands on our water resources. Indeed, on current projections at the high end, by 2050 Melbourne's current population of 3.68 million will have grown to 5.12 million — a very significant growth in population. Whether you use a high or low forecast figure, the net prospect is that Melbourne will have a population in excess of 1 million more people than it has today.

While some people would argue that this sort of growth is essentially unsustainable, what I would argue is that population growth is inevitable. What we have to do as governments and parliaments to do is consider how to provide the necessary resources that are required to satisfy the needs of a civil society, and the most basic element of any contemporary society is a safe, secure and reliable water supply.

There are a number of different options to consider in respect of water, and they include a focus on improved management of our water systems. In terms of the delivery of water, that may involve reducing losses by reducing the leakage and evaporation from water delivery systems. There are options associated with improving the water efficiency of consumers, whether they be industrial, commercial or residential, by dealing with demand management techniques.

There are certainly behavioural changes that can be developed in the community by way of education and regulation, which we have seen more recently, including a change in the attitude of the community to the use of water outdoors, in particular the choice of gardens that community members wish to maintain. It is clear that some plants have a lower requirement for water than others and that native gardens have a much lower water demand than most gardens that are dominated by introduced species.

I make the point that not many years ago Victoria proudly boasted of itself as the garden state, and many of us will recall fondly the registration plates on our motor vehicles which had this proud boast. It is in my view frankly an embarrassment that here we are in 2007 and we are unable to sustain the aesthetic environment not just in our domestic garden environment but indeed even in the gardens of the Parliament, which are to say the least looking the worse for wear as a result of the failure to be able to maintain water flow. Changes in behaviour are required, but there is also a need for change in behaviour on the part of government in ensuring there is an adequate supply of potable water to the community.

It is important to note that there are many opportunities to improve access to water by reconnecting resources like the Tarago Reservoir. The opportunity for dealing with new sources of water — for example, the supplementation of our water resources through recycling arrangements — is important. Even if there is a community conservatism about the use of recycled water for human consumption, that recycled water can be used to displace potable water in other environments — for example, by replacing water required for parks and gardens with recycled water and using recycled water in industrial circumstances where there is no effect on the quality of production. We need to improve our efficiency in the utilisation of stormwater, and clearly there is a range of additional water conservation techniques that can be applied within any domestic and industrial environment.

I suppose the reason that desalination is on the radar is because it is, in Australian terms, the last untapped

major potential source of water. In practical terms it is untapped because it is only in the last couple of years that there has been a move towards desalination as a serious option. We now have decisions made by governments in Western Australia, South Australia, New South Wales and Queensland to proceed, at various stages, with desalination plants, and of course the Western Australian government has already commissioned a desalination plant which is producing potable water as we speak.

There is a temptation, I suppose, for governments, knowing full well that any such project will take many years to implement, or can be made to take many years to implement, to take the view that there is a low risk to that individual government which may not be in office at the time that the consequences of either a failure to deliver or the delivery of that project will be seen in the community.

I hasten to say that is a cynical view. There is a potential for political pressure to cause governments to look for panaceas, and it is simply the case that in our current environment it is clear that the majority of opportunities that have existed for high-yield resources to be harvested have been pursued. There are some options which need to be further explored, and they are those particularly relating to reuse and conservation systems.

However, from a Victorian perspective we need to understand the potential for optimising our water availability by using desalination, as it is a very real option, which has been around, in a technological sense, and been in practical use since the 1920s. The first desalination plants were constructed before the Second World War, and increasingly, certainly in the Middle East, desalination has been business as usual.

I would not wish the house to presume that I have a pre-emptive view about what such an inquiry as we are proposing will find, but I believe it is important that the inquiry test the validity of the propositions that are put in respect to the impact both economically and environmentally of a desalination option.

Because the government now acknowledges that desalination is a viable option in Victoria and has charged Melbourne Water with the conduct of a serious investigation, there seems to be some bipartisan agreement in the parliamentary process. The Liberal Party took to the November election a policy commitment to construct the first major desalination plant in Victoria. Notwithstanding that, the government seized the opportunity to make political points at the time. I was a little nonplussed by the Premier's

comments that this was not a good idea. In reaction to an announcement of the Liberal Party's policy, the Premier is reported as saying in the *Herald Sun* of 13 November 2006:

The energy generation is enormous, the intrusion on the community is enormous and, of course, it's extraordinarily expensive.

I understand he's saying it's based on something similar in Western Australia. Well, hello, we're a bit bigger than WA, just a tad bigger than Perth and really, what a hoax it is.

I found the Premier's remarks extraordinary at the time. No less extraordinary is the fact that it was necessary for the Deputy Premier in the other place, Mr Thwaites, to say, as reported in the *Herald Sun* of 15 November 2006, two days later:

The government yesterday strenuously denied claims that it had ditched its own desalination plans after pillorying as unfeasible a state Liberal Party promise to introduce a \$400 million desalination plant.

We need to return to the fundamentals. Is desalination a panacea? No, it is not. Will the desalination of seawater replace all of the potable water supplies from other sources? It will not. Will desalination solve Melbourne's long-term water challenge? On its own, it will not. Desalination is potentially an augmentation of a supply of water at a time of very stressed circumstances in terms of rainfall behaviour.

As I demonstrated earlier, the harvesting and storage of Melbourne potable water has declined in the long term because of environmental factors. I do not intend that this debate should be about global warming, climate change or carbon emissions. However, regardless of how this issue is defined, we are clearly undergoing a period of drought compared to the relative experience of rainfall upon which our forecasts for water harvesting have been based previously. It is clear that desalination is a project which stands against the alternatives which are basically about doing nothing. I strongly argue that desalination needs to be seen in that light — it is an option, but not a panacea.

In 1975 desalination was seen to be an option when a report was prepared for the then Premier, Dick Hamer. That report found that desalination was not an economic option at the time and that there was no point looking at it further until technology substantially changed. Technology has now substantially changed. The membrane reverse osmosis technology, which is available today, is a much more efficient process than what was available in that era, which was in effect distillation. Today we have new technologies which have a much lower energy requirement; consequently they have a lower impact on carbon emissions.

Therefore this is one of the factors that should be considered in terms of any investigation by a committee.

Desalination involves the process of removing salt from sea water to provide a new source of drinking water. To recap, the Liberal Party made a commitment to establish a desalination plant. The proposal was for 145 million litres of fresh drinking water a day to be produced, which would equate to one-tenth of Melbourne's consumption when the plant was completed. The cost estimate was based on \$400 million for construction and \$20 million a year to operate, which was based on the experience in Western Australia. The Premier tried to slap that policy down, and the Deputy Premier had to correct the record to indicate that the government was looking at it. But subsequently, in January, the Deputy Premier referred to his position in November when he was queried on ABC radio and noted that the position of the government was that it would continue to proceed to undertake its own investigation.

The Labor Party had indicated previously that there would be an investigation completed by 2006, but in fact that has not occurred. As we now know, the investigation by the government is proceeding as we speak. It is not a matter of debate between the government and the opposition about whether or not we should be looking at desalination. The fact is that the government is looking at it, and the Liberal Party had a policy at the last election of proceeding with it.

The issues today are more about the house coming to an informed view based on evidence which will be led to a select committee to advise the house of the opinion of the select committee in respect to such a process and what the issues are that need to be taken into consideration before final approval is given. They would include issues like greenhouse gas abatement: what action should be taken in regard to the additional energy requirement, what would that additional energy requirement be and therefore what would be the level of greenhouse gas abatement required to deal with any environmental impact? But that should not be a blockage to the proposition that this issue should be properly examined.

It is important for us to note that while Victoria is in a sense dithering on this issue, other states are moving ahead. South Australia has two small plants at Marion Bay and Penneshaw and has announced a large-scale plant in conjunction with BHP in the upper Spencer Gulf; Queensland has a small plant at Dalby and is building another one on the Gold Coast; the New South Wales government has recently announced that it is to

proceed; and Western Australia has already commissioned a desalination plant.

I want to turn briefly to the report that I flagged at the outset — that is, the Marsden Jacob report — and quote from page 13, for those who might have a copy of the in the house and want to follow it:

As indicated by the chart above, the cost of water sources varies significantly according to the specific circumstances of each city. The cost of some options, such as demand management, can be negligible in some cases, while the costs for options such as desalination, dams and recycling can potentially be as high as \$3 per kilolitre or more. The highest cost options include plans to pipe water significant distances for consumption by our major cities. By comparison, the unit cost of rainwater tanks that are plumbed into the house can range from \$2.15 per kilolitre to \$12.30 per kilolitre. At the lower end of the range (typically reflecting the unit cost of properties with large roof collection areas), the cost of rainwater tanks is comparable to, or lower than, the cost of many of water source options being examined around the country. At the higher end of the range, the cost of rainwater tanks could be as high as \$12.30 per kilolitre, significantly above the cost of most alternative water supplies.

There are no simplistic solutions to this. As somebody who has lived off water from rainwater tanks most of his life — —

Mrs Coote — Is that the reason?

Mr P. DAVIS — Yes, that is the reason; it explains everything! I have to say that I have never had any difficulty with the concept of being self-contained and providing my own potable water. However, the circumstances of communities at large require a more detailed examination, which this report provides. It looked at both the individual costs and the cost to the community of a range of options and found that, contrary to what may be a natural assumption, rainwater tanks are not as inexpensive as is proposed.

I come now to a further issue concerning all of the options that exist. Desalination clearly has a higher energy cost than any other option and therefore one has necessarily to consider greenhouse gas abatement when considering that alternative. The report states at page 21:

While the impact on rainwater tanks is the lowest of all options, in no cases do the relative levelled costs change due to carbon abatement.

That summaries the position taken by that report. The relative differentials in cost between the various solutions to providing augmentation are clearly set out on a simple economic model that I alluded to earlier. If you factor in the cost of greenhouse gas abatement in addition to the other economic costs, it does not change the relative values. This means there is no question that

desalination as an alternative solution to the augmentation of Melbourne's water supply must be examined in comprehensive detail.

I do not think it is possible for the Parliament to wash its hands of such an examination, because for any project to proceed expeditiously following the examination the government is undertaking at the present time through Melbourne Water, parliamentary approval will necessarily be required. It is vital that approval be given in light of the range of parameters which would affect community concerns: the impact on government of cost, the impact on consumers of water in relation of the cost directly borne by them, and, importantly, the impact on the environment. There is a range of environmental issues, not the least of which is the discharge of brine from the desalination process back into the ocean. We need to have these matters come into play and coincide with the government's progress on this issue.

Importantly the establishment of a select committee will put additional pressure on the government to act. It is incomprehensible to me that after 10 years of declining water availability we have come to a crisis point where it would seem that the government's sole strategy is to continue to restrict water use by progressively putting in more severe restrictions and that in its eight years in office it has not proposed any alternative measure to improve the security of the water supply for Melbourne. Without further ado I urge the house to support the motion before the Chair. The motion explicitly gives the house the opportunity to establish a select committee to inquire into the range of issues which need to be addressed so that parliamentary approval can be given for a desalination project to proceed.

Ms DARVENIZA (Northern Victoria) — I am very pleased to rise and make a contribution to this important debate. I oppose the motion that has been put forward by the Liberal Party. I do not believe there is any need to set up a special upper house select committee specifically to deal with this issue.

We have a joint parliamentary Environment and Natural Resources Committee, which would more than adequately be able to address the issues that are raised in this motion. A couple of members of this chamber are part of that committee; they are Ms Petrovich and Mr Viney. There is no reason why that committee would not be able to deal with this matter; in fact it would be able to deal more thoroughly with this issue because it would be able to —

Mr P. Davis — Why?

Ms DARVENIZA — I will get to that.

Mr P. Davis — Doesn't it have anything else to do?

Ms DARVENIZA — It does have other things to do, but it would have the capacity to look more broadly at the matter rather than the narrow issue of desalination, which is the reason given for setting up a select committee. It would have the ability to look at a range of options for meeting Melbourne's future water needs, and that is what the opposition is saying this government is doing nothing about. In his submission to the chamber Mr Davis gave as one of the reasons — if not the primary reason — for needing such a select committee the Victorian government's failure to address the water needs of Melbourne, both currently and into the future, particularly if this drought continues.

That is simply not the case, and setting up some special upper house committee to look at this matter would not fully address the problem. In fact the problem of how we address Melbourne's water shortage is being addressed by the government. If the Parliament felt there was a need for a reference, then that is where the reference should go.

The government is already undertaking a full feasibility study into desalination, as the Leader of the Opposition clearly knows. Melbourne Water is leading the desalination feasibility study, which is scheduled to be completed by the end of 2007. To put in place an upper house committee to look just at the issue of desalination when the government is undertaking a full feasibility study on desalination, with a reporting time at the end of this year, would simply cut across that work and pre-empt the outcomes of that feasibility study.

We are very committed to this feasibility study. It was in October 2006, as part of the central regional sustainability water strategy, that we put this feasibility study in place.

Mr P. Davis — Why wasn't it completed, though, according to the time line? This is the problem. The government is dragging its feet and not getting onto it.

Ms DARVENIZA — The government is certainly not dragging its feet and it is getting on with it.

Mr P. Davis — It was supposed to be complete by last year.

Ms DARVENIZA — No, it was announced in 2006. The feasibility study was announced in 2006, and it will be completed by the end of 2007.

Mr P. Davis interjected.

The ACTING PRESIDENT (Mr Leane) — Order! Mr Davis has had his chance to make his contribution.

Ms DARVENIZA — The government has committed \$18.5 million in funding, which is a significant amount of money, for the undertaking of this desalination feasibility study, along with the feasibility study into larger scale stormwater harvesting and a full business case on the eastern water recycling proposal. These are very important areas that need to be looked at and investigated.

Mr D. Davis interjected.

Ms DARVENIZA — You are not in your place!

It is ridiculous to simply put before this chamber a motion that says the only thing we are going to look at is desalination and we will set up a committee just to look at desalination. The government is doing everything it can to look at all options that will bring out the best way to recycle and utilise our valuable water resource by looking at the water that ends up in our stormwater drains and also at recycling proposals.

Desalination is a highly technical issue. It is costly and it is environmentally sensitive, so it is important that we have the very best minds and the technical expertise to look at this important issue and give it the attention it deserves. I doubt very much that the most appropriate way of doing that would be by setting up an upper house select committee to investigate an issue, as the committee requires highly technical expertise.

I believe the best way to do it is the way that the government is doing it at the moment. We have allocated significant funding. We are looking at a range of options. We believe this is a very important issue and of great concern. It is a priority for the government to make the most of our water resources and ensure that the city of Melbourne has an adequate supply of water now and into the future. We are investigating how we can best utilise that water resource in terms of the desalination proposal, the use of stormwater and of course recycling proposals.

The government has committed the funds and is ensuring that the best technical minds and the best experts looking at this important issue. I do not agree with the opposition leader that the best way to look at this is by setting up a select committee. If you accept that it needs to be looked at by a committee, then the best committee to look at it is the joint parliamentary committee that is already set up to look at

environmental issues — and this would fall squarely within the brief of an environment committee.

Furthermore, the government is looking to compare desalination with other options. We want to look at the best way of reusing water to ensure that it is not wasted and running down our stormwater drains and out into the bay. We are looking at comparing the different options and the impacts they have on the amount of water that can be captured and put into our system. We will also look at the impact any of these options might have on the environment, whether it is desalination, recycling or the issue of stormwater catchments. We want to minimise the impact on the environment and ensure that any measures we put in place to capture water for the use of the city have a minimal impact on our environment now and in the long term for future generations.

This motion shows how little the opposition understands the complexities in water issues. The Victorian Liberal Party, and of course The Nationals, have sold out Victorian farmers in favour of their federal Liberal Party mates for political mileage. The state opposition and its leader have continued to display an absolute ignorance of the water debate. It was disappointing to see The Nationals, who were opposed to the proposals put by the federal government in its Murray–Darling Basin plan, for political reasons simply sell out Victorian farmers and hitch up their little red cart to their federal mates.

Mr Lenders — They are taking their orders from Mr McGauran.

Ms DARVENIZA — The minister is right — they are taking their orders. Peter McGauran, other Liberal Party and Nationals members are wandering around the state trying to sell this deal to farmers. They are not being consistent in what they are saying to various groups around rural and regional Victoria. We have a lot to lose if we do not get that Murray–Darling Basin plan right. In Victoria that Murray–Darling Basin plan has a huge impact on our farming community and irrigators, and an enormous impact on the communities that rely on the Murray and Darling rivers along the top of Victoria.

The irrigators up their do not want the plan, and the Victorian Farmers Federation (VFF), which represents and speaks for the farming community in Victoria, does not want it either. We know that this plan that has been put forward by the Prime Minister was dreamt up by him very quickly. We believe it was written on the back of an envelope without consultation, and certainly with no consultation with the Treasury department that

criticised the plan. There were real issues about the costing and how that funding should be allocated in the plan that was being put forward by the Prime Minister.

As a state government we are prepared to enter into discussions and negotiate with the federal government, which we do all the time together with other state governments, but we do not believe the plan being put forward is in the interests of our farming community that makes an enormous contribution not only to the wealth and economy of this state but also to Australia's wealth and economy.

We are not prepared to hand over unfettered powers to Canberra. We are not prepared to see that impact on regional economies. A full constitutional reference of powers would effectively give the commonwealth unfettered power over a waterway that we as a community and a state rely and depend on. We are not prepared simply to hand it over.

The VFF has grave concerns about it as well. The Nationals have said that they now support it, and say, 'We have got enough answers and we are happy with the response we have got from Canberra'. While the farming community, and irrigators in particular, in the northern region may not be happy about it because they are worried about where the water that will end up in South Australia will come from and who will bear the cost of that water, both in terms of the crops that are able to be produced and the money that will be made from those farms. They have real concerns about that.

The VFF is not satisfied with what The Nationals have been prepared to accept. The Nationals have been prepared to accept it for political reasons because in this election year they are in a coalition with the Liberal Party nationally. They know what side their bread is buttered on when it comes to reaping the rewards for individual members of Parliament. They know there is a lot in it for them as a party and as individuals of that party in remaining in coalition and agreeing with what the federal government is putting forward.

We know that is one of the reasons why The Nationals have not entered into a coalition in Victoria following the election. The Nationals suffered badly from their history in coalition as part of a Victorian government, because we know that they were taken for granted — that the constituents and the electorates that The Nationals represented were not a priority.

Mr Hall interjected.

Ms DARVENIZA — You know I am right, Mr Hall. You interject because you know that what I am saying is correct. You were hurt, your party was

hurt and your members were hurt. You paid for it politically, and that is why The Nationals have not entered into a coalition with the Liberal Party. Nationally The Nationals want to stay in coalition and are toeing the line. You do not have the answers the farmers want, and the VFF know that The Nationals do not have the satisfactory answers.

The PRESIDENT — Order! Ms Darveniza should be relevant.

Ms DARVENIZA — The relevance is the Murray–Darling Basin, water and the need for water in what has been one of the longest droughts, if not the longest drought, in history, about the impact and the effect that that has on all of our communities, not only our city communities in providing water for city water users but also the importance of being able to ensure there are adequate supplies of irrigation water for our farming communities particularly in northern Victoria where there are so many irrigators and so much of our state's wealth and agricultural produce is produced both for local markets and exports, leading to the economic stability and wealth of not only those communities but the state and the country as well.

It is disappointing that The Nationals should join the Liberal Party in supporting a motion like this one, particularly given that Mr Drum was part of the joint party Environment and Natural Resources Committee during the last Parliament. As I said earlier, if you were going to have a reference around water and you were genuine about looking at all aspects of it, the ENRC is where it more rightly belongs, not in a committee that is set up with only upper house members.

I want to talk a little about some other areas. I want to again refer to the Murray–Darling Basin, because it is a huge waterway; it is one that we all need and depend on. The plans that have been put forward by the Prime Minister are not acceptable to the Victorian government, they are not acceptable to the farming community, particularly the irrigators, and they are not acceptable to many environmentalists.

The Victorian Farmers Federation has raised a number of issues about which it has real concerns that have not been addressed. In an article the VFF said that changes to legislation can only be achieved with consent of all states in the Murray–Darling Basin area. It raised this issue with the federal government, and the federal government has failed to address it. Another issue it has raised is that farmers be provided with some sort of compensations if bulk entitlements are adjusted. This issue has also not been addressed by the federal government.

The VFF has also raised the issue that farmers be appointed to any bulk entitlement review panel. The VFF wants to see farmers be part of any review panel process. The Nationals are happy to accept that no farmers be involved in that but the VFF is not. We can see that the VFF is not happy about that. Another issue is that the risk of climate change be shared with the environment. That issue has also not been addressed. The VFF says that the trading scheme should take into account the social and economic impacts of water transfers. That also has not been addressed. Another issue is that overallocation buyback be managed so as not to distort the water market or provide an unfair advantage for one water user over another. That is not supported by the federal government.

The list goes on and on with examples of where the VFF has failed to be satisfied that the interests of Victorian farmers will be met by the proposal that has been put up by the federal government. Yet The Nationals are prepared to accept that the proposals put up by the federal government are satisfactory, that they meet the needs of farmers, and then they come in here today and move a motion to set up another upper house committee which would only be looking at this issue.

I want to talk a little about some of the other measures this government has been taking to ensure that we do our utmost to conserve and recycle water right across our state, particularly in our rural and regional areas that are suffering from the drought. The effects of the drought are being felt very keenly, particularly in the north-west of the state; of course the irrigators around the north-east are also being affected by it. Individual farmers have certainly been impacted by it. The drought has had spillover effects and a big impact on the whole community.

You only have to travel up into regional Victoria to see some of those effects. In towns it affects the businesses — and they are often small businesses; it has an impact on the schools, on the churches and on the clubs and the social fabric of the communities. Tackling the drought problem is a priority for our government.

You just have to look at the sorts of drought relief packages we have put in place that deal not only with farmers but also with community issues and schools, and with counselling, including financial counselling and counselling by the Department of Primary Industries — which is something that farmers ask for — around how to best manage their farms and their businesses in light of the drought.

This government has certainly been addressing the issue of water shortages. The Goldfields super-pipe will

provide water security to Ballarat and Bendigo, after the government made a \$101 million contribution to that huge \$260 million project. The major Ballarat and Bendigo recycling project is under way, there are major industry recycling projects through the Gippsland Water Factory, and the government is to provide around \$9 million for the Geelong Shell water recycling project. They are some very big ticket items that are addressing the need of regional cities for water.

In terms of farming and irrigation, the \$52 million Eildon Dam upgrade has been completed, and the \$23 million allocated to the Goulburn-Broken irrigation efficiency is saving 18 billion litres of water. These are very significant infrastructure upgrades and programs that are about the government addressing water shortages and ensuring that the infrastructure is upgraded and kept in order to minimise the loss of water.

The Wimmera–Mallee pipeline, for which the Victorian government allocated \$167 million, is saving over 100 billion litres of water. Other projects include the joint state-federal government Macalister irrigation district efficiency program, the \$20 million Sunraysia irrigation project that is underway up in that district, the \$32 million funding for a range of pipelines throughout Victoria, legislation to fast-track vital water projects — and we have seen that legislation pass through Parliament — and the \$146 million drought package, including relief for irrigators on their water bills.

The government is not just aiming to provide assistance to individual farmers but is also looking after infrastructure projects to ensure that we do not have leakage and wastage through the systems. There is more to be done, and the government is certainly committed to doing more.

I refer to the state of Victoria's rivers. The government has not forgotten about the need for environmental flows and the need to keep our rivers as healthy as possible during a time when so little water is flowing through them. Apart from our rivers being necessary for irrigation and agricultural pursuits, a lot of tourists are drawn for recreational purposes to northern areas along the Murray and Goulburn-Broken rivers and other rivers in that region that make up our waterways. We want to keep those rivers as healthy and as attractive as we possibly can so that people continue to come up and enjoy their time in Victoria's rural and regional areas.

We have certainly been making sure that our rivers are kept as healthy as possible. We have committed an additional \$100 million over four years for river health. There is funding of \$115 million for the Murray River

environmental flows. In fact Victoria was the first state to identify its water savings for the Living Murray initiative. An extra 18 gegalitres for Murray River environmental flows were delivered, and there is funding to assist the watering of river red gums. There is more than \$200 million for returning environmental flows to the Snowy River, and the first target for extra water in the Snowy River was delivered on time. There is a package of \$600 million for the Yarra River, including for the investigation of pollution hot spots, litter traps, septic tanks and sewerage upgrades. Additional flow for the Thomson River has also been delivered.

Those initiatives are in rural and regional Victoria and I have not dealt with the many savings that have been made following initiatives that have been put in place in Melbourne by the government. For opposition members to come in here and say that the government is doing nothing and not addressing the issues of water shortage and water for our future is wrong. I cannot support the establishment of a special upper house committee simply to look at this issue, because, as I said earlier, as a government we have committed money to ensuring that all areas of possible water savings are properly investigated. The money is being made available to ensure that we have the best people possible with the right technical expertise looking at the issue, making assessments and giving advice to the government on the best ways of saving water, whether it be through desalination, recycling or capturing water that would otherwise head down our stormwater drains. I do not support the motion, and I urge others in the house to also not support it.

Mr BARBER (Northern Metropolitan) — The Greens will not be supporting this motion, predominantly for the reason that we do not support desalination as a measure and do not want to be part of this kind of ongoing strategy to boost it. The Greens think there is a vast range of opportunities for reducing the consumption of water which are either yet to be explored or which, where they have been explored through pilot programs, have not been rolled out across the economy as a whole.

I know part of the motivation for this motion is that somewhere the Australian Labor Party is working on a secret plan for desalination. The only thing I would say to the government about that is that it has it in its hands to run a process that trumps any select committee that we could set up on this or any other matter. It is really open to the ALP to run an independent and totally open process on any particular proposal it is considering or, for that matter, on any live proposal that is being developed. In June 2006 the upper house in New South

Wales held an inquiry into a then very live proposal for desalination. That inquiry was chaired by Greens MLC Ian Cohen. I am going to draw on that to talk about some of its findings and why at this time we think that desalination does not really need to go any further than this discussion.

A while ago the debate was all about dams. People who thought they had the magic solution were talking about new dams, but obviously now with all of our dams being largely empty that particular push has died away. What would be the point of building new dams when the dams would be empty? I was up at Lake Eppalock the other day. It is like a giant skate bowl with a little puddle of water at the bottom. Clearly the issue up there is not capacity, any more than the solution to my lack of income would be to get a bigger limit on my credit card. People are now talking about grabbing access to new streams — putting pipelines here there and everywhere and attaching them to the existing system. We need to be clear in our heads: are we simply talking about grabbing water from more places or are we talking about creating water by saving water? It is what I call the negalitre question: how many negalitres of water can we create through conservation to meet our current shortage?

It is quite clear that over a long period of drought — up to seven years in some parts of Victoria — water consumption has not fallen to match the levels of water flowing into the system. The result is that it is just like living outside your means in terms of your personal income. The only question is how much money you had in the bank to start with. The formulators of the metropolitan water plan for Sydney — and let us examine what I will call the expensive technological options — looked at industrial reuse, recycling, stormwater capture and treatment and desalination. The founder of Clean Up Australia, Ian Kiernan, who was appointed chair of that committee, said that desalination was the least-favoured and least-acceptable option, and it was only really included in the study because it was an option.

The upper house inquiry in New South Wales looked at the government's proposal for a desalination plant and determined that for a plant with a capacity of between 125 and 500 megalitres a day of production of water the greenhouse gas emissions would be between 240 000 and 950 000 tonnes. Before anybody even starts going down the line of desalination perhaps they can explain to me how Victoria can afford close to an extra million tonnes of greenhouse gas emissions. Current emissions are around 164 million tonnes — and we all know that they have to be reduced by 80 per cent by 2050 and 100 per cent by some time afterwards. We all also

know that we need some short-term targets. The worst thing you could be doing would be adding another million tonnes to Victoria's emissions profile in an attempt to give us water security.

As happens so much in these debates, politicians leap for the quick-fix, high-cost, high-risk, high-tech magic bullet — where they get to write a cheque and get a whole series of photo opportunities out the other end. There are not quite so many photo opportunities in the boring stuff, such as fixing a lot of leaky water mains underground, but we already know from previous studies that such measures are there to be implemented and that it is simply a case of rolling them out.

Turning to Melbourne's water conservation record, despite the government constantly trumpeting its achievements in this area, by my measure there have not been major reductions in our water consumption over the last five years, and those that have occurred have been simply explainable as due to water restrictions. I will explain what I mean. Week in, week out we use a fairly consistent amount of water in Melbourne.

You can see what this base load or base demand, if you like, consists of. For the last five years our water use in midwinter, when the majority of water would be used indoors — we are not watering gardens and ovals and so forth — has been around 8000 megalitres a week, with very small variations. Of course in the summer period there is a peak consumption of water, and that has been quite variable depending on what water restrictions have been in place. The introduction of water restrictions in various summers of differing levels of severity has knocked the peaks off and brought us down to our baseline of largely indoor and obviously industrial and commercial water use.

But that baseline has not been reduced by any significant amount in the last five years, as I was able to plot using data on Melbourne Water's website. From that you can see that in terms of addressing indoor water use, despite talk about shower heads, water tanks and a whole range of other things, there have not been major achievements. If there have then they have not been enough to cancel out the effects of population growth.

You can imagine why as an emergency measure we are going to go for water restrictions. They are the only water restrictions you can really police, short of having toilet police running around making sure people press the right button. So that is what the government has gone for. Most of the other attempts to reduce year in and year out demand, indoor use and industrial use

have been pilot programs, and they have not gone very far.

In regard to desalination the Greens think the Libs are playing to a certain constituency — the person out there who says, 'Why don't they just do something? I do not really care what it is, provided it is big and bold and it happens fast'. But the Greens look for the softer, lower risk solutions that lead to better water conservation and less stress on the rivers that we depend on over the longer term.

Labor tries to triangulate — or whatever the word is. My head ends up spinning when I listen to these debates about who first thought it up, then who took credit for it, then whose idea it was and who opposed it. Then after the election we hear that the Liberals are still pushing for it and that Labor is working for it but does not want to admit it; it is doing it secretly. It is like clean coal. There is a bidding war going on at the moment about how much money the federal Labor and Liberal parties want to throw at the coal industry. I cannot keep up with the debate, but by my count Labor is actually winning. 'Clean coal' of course is a term meaning to reduce brown coal to being about as dirty as black coal. I do not know why you would want to participate in one of those debates.

The Greens are looking for the government to set clear targets for water conservation, to break them down by sector — the household sector, certain types of industries and obviously major users — and to have those sectors sitting around the table and working out how they are going to do it. It is an eminently reducible problem.

The question of population growth was also raised. That is a problem if we are to continue expanding. Even good conservation targets may not be able to keep up with population growth. The estimates for population growth in Melbourne 2030 — as is the way with many of these strategies — have gone from an estimate to what inevitably is going to happen, to a target to actually be achieved. There was never any sense that we could actually influence it. Water is very clearly tied into that debate, because there is a hard limit on the amount of water that actually exists in rivers and streams.

On the subject of alternatives, the Australian Conservation Foundation, the Nature Conservation Council (NSW) and Environment Victoria produced a very timely report a couple of days ago called *The Economics of Rainwater Tanks and Alternative Water Supply Options*. They asked Marsden Jacob Associates,

financial and economic consultants, to do the work for them — hardly a Friends of the Earth collective.

Marsden Jacob Associates came up with some estimates suggesting that a program of water tank rollouts along the lines that have been suggested for Sydney — about 5 per cent of households per annum — could compete in terms of quantity and cost with desalination, although my putting a tank in my own home does not make a lot of sense. I could spend several thousands of dollars to put in a water tank and have \$1.50 worth of water sitting in it.

This report points out that just the water savings made by my own household do not look like a very good economic case for me to invest in a water tank. The problem is that I cannot deal with the marginal costs. I cannot deal with the big step up. As an individual householder there is no price signal to me saying, 'You had better conserve water now or else the government will have to spend \$1 billion on whatever it is, which will then flow back up your water bill or onto your taxes'. They looked at a program — and this is the classic argument for why we need some good regulations and good, old-fashioned centralised planning for essential services like this. The argument is that if the government, in funding a rainwater tank program which rolls out over a period of years can thereby avoid a much more expensive big hit augmentation of supply, then the costs could be quite comparable.

Let us look at Melbourne. The report said if there was a 72 per cent take-up of rainwater tanks, in addition to what is there now, the total annual yield would be between 24 and 88 gigalitres. The full cost of that, which is called the levelled cost, would be between \$2.67 and \$10.92 per kilolitre — the upper estimate is so high because Marsden Jacob Associates did not have a live proposal for the cost of a desalination plant — versus the example in Sydney, where the levelled cost for desalination was between \$2.70 and \$3.50. Water tanks at the bottom range of the estimate are even lower than the bottom range of the per-kilolitre cost in the case of a desalination plant. Those sorts of options need to be put on the table and examined. Melbourne Water and other water authorities could do a much better job of being transparent about the different options.

The Leader of the Opposition also brought up the issue of logging in water catchments or thinning in water catchments. We know that the ultimate source of supply of our water in Melbourne is from mountain forests. All the way up there behind Healesville is the highest rainfall zone in the area. There are fast-growing trees up there. That is the reason the woodchippers

want it. It is also the reason it produces so much water that is so valuable to us. A succession of governments from Hamer to Cain protected large areas of old growth forests up there as a result of studies done and information given to them by the former Melbourne and Metropolitan Board of Works in the 1960s. They said it was an open and shut case — that the water is worth more than the timber and the government should just protect those catchments. The fact that there has been no further action on that from the governments of Kennett and Bracks just goes to show how blind governments can be to the most cost-effective ways of producing more water and how enamoured they can be of quick-fix, high-tech solutions.

Mr Davis mentioned the option of thinning in Perth's water catchments — that is, thinning out of young trees to increase the water yield. I caution him to look very carefully at that option as it applies to different forest types in different rainfall zones. Surprisingly we still do not know much about the water balance of forests. We know how much comes in and we know how much goes out; we do not know what goes on in between. Rates of transpiration and evapo-transpiration vary widely between forests of different ages, forests in different rainfall zones and different forest types.

What we do know is that a hectare of old growth forest in a high rainfall zone like the Central Highlands produces enough water for 100 homes. We know that logging that forest initially leads to more water yield because the land is bare. Within a few years there is a catastrophic drop in water yield as those young trees start soaking up a lot of the water in their growth stage. It is only when those forests become close to a century old that the water yield from them recovers to something like its prelogging level. The simplest and fastest thing we could do would be to stop logging forests and let them get older. Every year they got older there would be more water yield coming out of the catchments. Melbourne has beautiful water for the very reason that we protect much of our forested catchment area.

By the way, ceasing logging in those areas would also lead to a big reduction in our greenhouse gas emissions. It is clear from the data produced by the Australian Greenhouse Office (AGO) that past logging regrowth — of which there is a great deal when you look at clear felling going back to the 1960s — is sucking up a huge amount of CO₂. It is actually quite a significant number in our overall carbon accounts. Those regrowth forests are paying back to the carbon bank what was taken when those areas were logged and burnt.

However, new logging is releasing a similar amount — that is, about 10 million tonnes in Victoria. It is pretty clear from the AGO's carbon accounts that commercial logging operations around Australia are releasing about 30 million tonnes. If that were to stop, which we clearly can do with most of our wood needs now available to be met from plantations, we would get an immediate and very rapid reduction in CO₂ in real terms. At one end of the spectrum you have the Greens plan, which is to stop catchment logging, increase water yield and reduce CO₂ emissions; at the other end you have the Liberal plan, which is to put in a dirty big desalination plant which will make new water from the ocean, if you like, but have a huge CO₂ cost that no-one has yet come up with a plan to meet, at least for the state of Victoria.

The government will be bringing forth the bill, I gather, on the greenhouse reduction goal. Perhaps the government will introduce it just in time for the next election and get a double credit because it promised it twice, but we will see. Thank you, President, for the opportunity to speak on this motion. As I say, a bad speech can be forgiven but a long speech, never. My speech has been one of the shortest so far, but I think I got to make all the points that the Greens see as important in this debate.

Mr DRUM (Northern Victoria) — I too had in place a rather short speech this morning until Ms Darveniza got to her feet and started proving to the house how little she knows about the whole water debate. Certainly we will all think about the effectiveness of her contribution for quite some time, because in effect all she got around to doing was having a go at The Nationals signing up to a national water plan worth possibly \$10 billion. I need to be very clear that when the Prime Minister's \$10 billion plan initially hit the public domain The Nationals were very sceptical and had to look carefully at all of the detail. When the full detail The Nationals required was not there, we held out offering our support and endorsement of that plan and encouraged the state Labor government to do the same. Then The Nationals went to work led by our water spokesperson, Peter Walsh. He negotiated with the federal government in relation to ways that the various securities and guarantees we were looking for could be delivered as part of the \$10 billion plan.

Ms Darveniza comes in here and tries to let people think she represents the best interests of the Goulburn Valley and northern Victoria. She wants people to think that she is there representing that group of Victorians, yet at the same time she is orchestrating plans to take that wealth production resource out of that region. She wants to take water from the Goulburn Valley and send it back to Melbourne to try and quench Melbourne's

undying thirst for more water. While Ms Darveniza and her party have that as their prime goal in relation of all of the water negotiations — —

Mr Viney interjected.

Mr DRUM — Mr Viney, I sat there with gritted teeth while Ms Darveniza rolled out her diatribe; I would appreciate it if you gave me the same courtesy.

We have a situation where Ms Darveniza's government refuses to acknowledge that it has a plan to take water out of the farming sector and take it back to Melbourne. If that is not in the planning of the state Labor government, then it has no need to fear what is now being proposed by the Prime Minister's \$10 billion plan.

The Nationals went in hard for three weeks to try to make sure we were able to get some guarantees that were going to give our constituents some comfort. We were able to achieve a 4 per cent cap on the trading of water outside the existing systems, and that is something the current state Labor government has refused to put in place. The water minister in Victoria has refused to acknowledge that he is going to reinstate that cap. As of, I think, 30 June this year that cap is going to be abolished and it will be a free-for-all. We actually have a written authority from the federal water minister that that 4 per cent cap on trading is going to be reintroduced.

We have, for the first time ever, got an assurance that the environment is going to pay its way for water so that we do not just have X amount of water being allocated to the environment without a charge, without a cost and without the environment paying its way. If everybody else associated with the water debate, the water market and all the other stakeholders are forced to pay for the true cost of water, then it is only right that somebody has to pay for the environment getting its water. That is another achievement that The Nationals have been able to hang their hats on.

As we move forward in the whole issue of water planning and water management of this state, we have now achieved a guarantee that the environment is going to have to pay for the water that is allocated to it. That is something we are very proud of, because by improving water management we are sticking up for and improving the lot of all our constituents who actually use water to create their financial existence.

One of the other things we have done is make sure there is a guarantee of the ongoing participation of The Nationals in future planning and policy direction. We will not just be participating up to the situation we have

now and then be left out of it so that what we have now will be what we are going to get forever. We have been guaranteed that we are going to be continually put forward and that we will be working through the future policy directions in relation to this plan.

Irrigators rights throughout Victoria are going to be protected until 2019 as part of the negotiations that The Nationals have been able to conduct with the federal government. It is an enormous comfort to the irrigators of Victoria, and specifically those in northern Victoria, to know they are not going to have their rights taken away from them willy-nilly by some government at some future time and that there will not be any review until 2019. That was locked in by the written guarantees and written assurances from the federal minister before The Nationals were able to endorse this plan.

We had many fears originally when the Prime Minister's plan was put forward, but we have been able to negotiate through all these respective areas. The no. 1 reason The Nationals were arguing that we needed to have greater security in the management of our water resource was the fact that we were seriously concerned that the Victorian Labor government would only ever look at spending money in regional Victoria to fix up the infrastructure if it could then take the ongoing savings produced out of that expenditure and out of that capital investment and take those savings back to Melbourne. Again The Nationals have been at the forefront of ensuring that that does not happen.

People who understand the water debate — obviously Ms Darveniza has no idea — know what water can do to their area. Water creates industry, industry creates employment, and employment creates productivity and prosperity. What we are facing at the moment is not being able to have this Victorian government commit enough money to the water projects that currently exist in the northern Victorian irrigation area. This Victorian Labor government is happy to go into the market and simply buy the cheapest water it can find from the most desperate farmer. That is the way the government is achieving water for its urban centres — by going to the most desperate farmer and buying the cheapest water it possibly can.

All the way through The Nationals have been saying there is a better way to achieve the same volume of water. It may cost more, but it actually has better social, environmental and economic outcomes for the respective regions. This government has simply turned its back on those communities and said, 'We don't care about the social impact. We don't care about the environmental impacts. All we care about is getting

water as cheaply as we possibly can'. That has certainly been something that the people of northern Victoria are starting to wake up to.

They are starting to wake up to people like Ms Darveniza, who puts on a Collingwood jumper for the first half and then takes it off and runs out in the second half in a Carlton jumper, because she is representing two different teams! She tries to bluff the people of Shepparton one day, and then she comes down to Melbourne and tells them she is playing for the other team now. That is absolutely ridiculous, and eventually she is going to get found out. You cannot keep representing two different groups in the same debate; people will find you out.

Certainly it is our job to point out that Ms Darveniza cannot come to Melbourne and start talking about taking water from the Goulburn Valley and sending it to Melbourne, and then suddenly go to Shepparton and start criticising The Nationals for ensuring Goulburn Valley irrigators are having their rights protected, which is something that The Nationals have put at the forefront of the negotiations that have been going on just recently.

Prior to this debate I was uncertain as to the best way to investigate desalination, because effectively I am of the belief that desalination, along with so many other aspects of water management, is an area that needs to be investigated. Is the best way to investigate the cost benefits and the social and environmental implications of desalination to refer it to a select committee from the upper house or is it best to refer it to the Environment and Natural Resources Committee, which is an all-party committee within this Parliament? They are options that I was quite prepared to listen to in the course of this debate, to make my mind up on that issue.

It is worth noting, however, that I have just spent four years on the Environment and Natural Resources Committee, as Ms Darveniza said. Mrs Coote, who is in the chamber, was also a member of that committee. At various stages throughout that committee's life we put up the possibility of doing some studies on issues such as groundwater and of going back and doing a review of previous studies that have been done into salinity around northern Victoria.

In the last government and in the last Parliament all of these issues were seen as too contentious. We were not allowed to go anywhere near an investigation into water because it was seen to be too contentious and because we may have come up with a recommendation that was not to the government's liking. We were continually steered away from anything to do with some of these

new and innovative investigations into water management.

To ensure that that sort of behaviour does not occur again, given all of the numbers the government has at its disposal at the environment committee, I am now tending to lean towards the view that the setting up of this select committee in the upper house with its numbers more evenly spread across the respective parties may in fact be a better way to unearth all the truths associated with the cost benefits and the economic and social benefits of desalination.

The Nationals have always said there is no silver bullet or no magic bullet associated with water and the horrendous crisis that we face at the minute. Mr Barber made the same point, and we reiterate that philosophy. We believe we have enormous inefficiencies in our water management system. We have continually said that. It is not good enough for any urban authority or any rural authority to say, 'We only lose 4 per cent. It's not too bad. We only lose 4 per cent through leakages, through taps and washers that aren't turned off correctly and through a few leaking hoses'.

In the current position we are in we have to acknowledge that 4 per cent is too great a margin for just wastages and leakages. We also understand that there are seepages and evaporation. Where are we going with the technology that enables us to minimise evaporation in our storages? We should be further down the track than we are at the moment.

We have continually said that we have to do more with our recycled water. How can we stand here and say we are doing all that we can? Ms Darveniza, on behalf of the government, rolled out the list of the government's projects. If members really listened closely to her, they would realise they are minimalistic projects and represent absolute tokenism. What we need is somebody who has got some real will and a real desire to actually put their neck on the line and go in there and generate some serious amounts of water in some of these areas.

In terms of recycled water, over 300 000 megalitres is being emptied at both the Werribee and Gunnamatta outlets on an annual basis. What is happening at Werribee is a disgrace, not only because of the recycled water, which is obviously causing some concerns in the Werribee South area and Port Phillip Bay, but also in terms of the harvesting of stormwater.

Back in June 2005 this government made some claims that it was going to investigate the harvesting of stormwater. Yet nearly two years later we still have the

same situation. We have a government that is still struggling to think about and do something in relation to catching stormwater. We all know that some 12 months ago when I produced a plan to harvest stormwater in the Bendigo region, from this government I received nothing but stonewalling and belittlement. This government looked at every possible way and sent its attack dogs out to go after an opposition member who had a viable plan to create new water for the city of Bendigo.

That is the way this government acts. If it is not its idea, it does not want to know about it. If it is not its plan, it is going to look at every way to belittle and discredit that plan. I had opposition coming from the government and its authorities in every possible way, shape and form. It is something about which this government needs to hang its head in shame. Government members cannot stand up and talk about all these great projects that the government is undertaking when we know the truth is that on the ground the government is working against these same projects that it is supposedly espousing as part of its everyday water management.

Today, in middle to late April of 2007, for the first time ever in this Parliament I heard Ms Darveniza start to talk about stormwater harvesting. She is now saying we need to do more. She spoke about plans that are coming through. She mentioned it five, six or seven times. I will be very keen to go back through *Hansard* and check what in fact she is saying now about stormwater harvesting. I want members to remember the date — mid to late April in 2007 — when Ms Darveniza started talking about stormwater harvesting for the first time ever — apart from the \$5 million spent at the zoo to capture 9 megalitres and the millions of dollars spent to catch stormwater at the MCG. But we are not talking about those smaller projects; we are talking about catching it on a larger scale.

What is the government's plan for catching stormwater out of the Werribee River? Effectively what we have in the Werribee, Hoppers Crossing and Wyndham Vale regions are tiled, tin-roofed, bitumen road environments which create enormous run-off; and when it rains — and it will rain again — that water is going to find its way very quickly to the Werribee River and very quickly out to sea at Werribee South. We have these new satellite cities popping up all around Melbourne. Do we have the ability to catch the water before it runs into the ocean? Do we have the ability to create some wetlands?

Last week we were over in South Australia, checking out what it is doing in the Salisbury region where there are about 20 small catchment lagoons for the

stormwater. The water finds its way into these man-made wetlands and then tends to settle and cleanse itself. It is then caught at the cleanest part of these wetlands and is pumped into the underground aquifers. It is stored in the underground aquifers at one-seventh of the cost of storing that water on the surface. This is an example of an innovative project. At a high-demand time of the year that water from the recharged aquifers is then taken and is mixed with recycled water from the Bolivar plant and is then sent off to Mawsons Lakes to in effect create a brand new, drought-proofed suburb, a suburb the residents have fallen in love with, where they are paying a \$30 000 premium to live, because it is a drought-proofed area in relation to the gardens and the flushing of the toilets.

Those are some of the projects that are already running in South Australia, including Adelaide. The Victorian government has been dramatically left behind on such projects. As I have said, this government can write all the nice glossy brochures it likes. We know those promises were made in June 2005, yet nearly two years later nothing has been done in any of those areas. It is quite staggering. In this chamber today Mr Darveniza spoke for the first time about capturing stormwater. It takes a bit of control to sit in this place and hear the government talk in that manner.

The Nationals believe there is an ability to create water savings by going into irrigation areas and improving the ability to catch water by recharging aquifers and through infrastructure. Those savings can then be used to create further wealth in those areas. We can fix up our rivers and put some of the water that we save back into the environment. The Nationals say this needs to be done. We should not take water away from these areas, because when you do that you take industry away from those areas. If that happens, employment declines in regional Victoria and that takes away its ability to grow and prosper. There is no doubt about this: we must understand the true connection between water and prosperity. You cannot suddenly think that regional Victoria is going to continue to prosper if you take away its most valuable resource. If the Labor Party signs onto the philosophy of not taking water away from irrigation areas, then I am sure that political parties will work more closely together when dealing with our respective water management policies.

When considering water management matters there is also the issue of cloud seeding. Two weeks ago the federal government debated cloud seeding. The debate is no longer about an impractical, non-feasible, dreamtime myth. Cloud seeding has started to gain credibility. It is being investigated. I do not know

whether cloud seeding is a credible alternative, but it is certainly worth having a debate on it.

There is also the issue of desalination. There is an ability for members, as leaders in the community, to have a debate about desalination. We need to understand the costs involved with greenhouse gases. Mr Barber made members realise that a desalination plant in Victoria would emit 100 000 tonnes of greenhouse gas. We know that the government of Western Australia has spent some \$350 million on a desalination plant that deals with 45 gegalitres of water annually. We know that the New South Wales government is going to spend \$1.9 billion on a desalination plant and that substantial amounts of power will be used. Typically it takes about a 3 kilowatts of electricity per hour to generate 1 kilolitre of water. Some people say that Australia will need to rival some of the overseas desalination plants, particularly those in the Middle East. There are extremely large desalination plants in Saudi Arabia. Water from the desalination plants in the Middle East accounts for about 24 per cent of all desalinated water on the planet.

In Australia there has obviously always been a question about energy and the cost of the energy required to run a desalination plant. There has not been so much discussion about the capital outlay required to build the plants, but there has been discussion about various ways to remove salt that include reverse osmosis and forcing salt water through membranes to recover salt particles. The process of reverse osmosis will be used in Sydney, but it has its problems. One problem is how to dispose of the salt. For every megalitre of clean water that is produced from sea water, we are obviously left with another megalitre of salty by-product. How we get rid of the by-product is of critical importance to the whole debate.

The ability to have inland desalination plants is limited. Donald in central western Victoria has an enormous amount of water underneath it. For \$1 million a desalination plant could be built at Donald. This would produce all the water, including drinking and domestic water, that Donald would need. But what would be done with the leftover salty by-product? The innovative use of that by-product, possibly by new industries, will enable that project to proceed. In the coastal areas of Victoria, in Melbourne and in Geelong there is an ability to pump that salty by-product out to sea and not have overriding problems.

When The Nationals visited South Australia recently we saw what was being done in the lower reaches of the Murray River. A lot of the water that flows into the

Murray River is extremely salty. The large amount of water in underground aquifers that flows into the Murray is laden with salt. Some of the water management practices in South Australia revolve around salt extraction plants. There are 20 to 30 salt extraction plants along the lower reaches of the Murray River. In the region of Loxton and Berry we saw pipelines which pump this salty water — the by-product of cleansed water that flows back into the Murray River — 30 kilometres to a joint evaporation farm. There are some small industries operating there that use salt evaporation ponds.

The salty water is not unique just to the lower reaches of the groundwater around the Murray. Even recycled water which has been cleaned and is ready to be used is still high in salt content. Salt is a by-product of the human body. It passes through the body and the water that ends up being recycled is very high in salt. We also have the issue of whether it should go through a desalination process, a reverse osmosis process, or be forced through a salty membrane. That is also needed in the recycling process that each of our cities has at their disposal at the moment.

There has been some discussion about various desalination plants around the country at the moment. In Australia we have one at Rottnest Island, a very sensitive and fragile island 20 kilometres off the Western Australian coast, and one at Green Island off the central Queensland coast, which we were able to see last year as part of a conference of parliamentary environment and natural resources committees. It is a very fragile island whose owners are heavily into tourism; they are using desalination processes to create water for all purposes, with the exception of drinking. On Rottnest Island they drink the recycled water.

Unlike the Loxton example, which shows the benefits of salt extraction, in the Katanning region of Western Australia, about 300 kilometres inland from Perth, enormous damage has been caused in lost production and damage to the road system by the salt coming up through the land. It has cost some \$7 million over the last two years. The salt has eaten away the road system and the infrastructure.

We have to act on salt extraction and look at desalination plants for reasons other than to give us the drinking and other water we need. Some companies overseas are looking at using solar power to run desalination plants, and that is something we might look at as well. It has been suggested that to get a plant running on solar power to generate 1 megalitre of water a day you would need about one and a half football fields of solar panels. If we were trying to generate

something like 9 or 10 megalitres a day, imagine how big the panels would need to be in these types of energy guzzling desalination plants run by solar power, wind power or whatever. They are heavy users of power, and that is even more reason why we need to have the power system fully investigated into the future.

We believe this sort of thing has to be fully investigated. I believe this government has yet to prove it is taking these issues seriously enough for us to enable them to do it without the full scrutiny of a select committee. As I said earlier, we are concerned about the best way to investigate desalination because Victoria has a government that in 2005 said it was going to be looking into demand management and how we were going to minimise usage in households, that in 2005 said it was going to move towards investigating desalination, that in 2005 said it was going to look at putting water into aquifer storages, that in 2005 said it was going to do stormwater harvesting projects, and that in 2005 said it was going to be moving on its recycled water projects.

We have a government that has been doing nothing other than offering tokenism — doing small projects so it can say it is doing something when the reality is that this government has been found wanting in all these major areas.

On balance The Nationals have decided that we will support this motion, and we look forward to this committee going about investigating all the benefits and problems associated with having a desalination plant augment Melbourne's water supplies into the future.

Mr VINEY (Eastern Victoria) — I am pleased to participate in yet another debate on a critical issue facing our community — water. I guess it will be no surprise that I intend to vote against the motion to establish a select committee for a wide range of reasons. Initially, though, I need to make some comments in response to Mr Drum's fairly vitriolic attack on my colleague Ms Darveniza. I do so noting that the essential point Ms Darveniza was making was that in relation to the Murray–Darling Basin proposal by the federal government The Nationals appear to have sold out on the position they had previously taken in support of the Victorian government's position.

Mr Drum, in his comments at one point, said that Ms Darveniza wears a Collingwood jumper in the first half and then she wears a Carlton jumper. As a Collingwood supporter I would find that very hard to believe, but he was essentially suggesting that Ms Darveniza was taking a political position on this.

I have in front of me the *Shepparton News* of yesterday, 17 April. Under the headline on page 3 'Nationals sell out' is the by-line 'By vacating their seat at the negotiating table The Nationals have simply underscored their irrelevance'. The article states, in part:

Other than succumbing to pressure from their federal mates, The Nationals' breathtaking sell-out of northern Victoria's irrigators defies explanation.

It is very consistent with some of the points that Ms Darveniza was making. The article in the *Shepparton News* makes the point that following the state election there was an opportunity for The Nationals in this house to work in partnership with the Bracks Labor government for the benefit of irrigators in northern Victoria. As the paper says, it was a plan that was deeply flawed from a Victorian perspective, and that The Nationals stance against the plan showed a glimmer of backbone — just a glimmer! We know how quickly they sold out to the Liberals in 1992 for the white cars of office! The article goes on to say:

So, while at once betraying their rural supporters and bizarrely giving away something for nothing, the Victorian Nationals apparently assumed the irrigators would mindlessly fall in behind them.

Well, so far they haven't.

Mr Drum took a great deal of offence at the point Ms Darveniza made — that The Nationals sold out to their federal mates on this deal. Mr Drum was offended by that, but it is absolutely consistent with the view outlined on page 3 of the *Shepparton News* of only yesterday.

We have before us a proposal to establish a select committee inquiry into a desalination plant. I have to say that our experience of select committees in this place is that they are highly political exercises that certainly in the time of the Bracks Labor government have almost always been established by members on the other side in an attempt to score political points against the government or to somehow extract what they think is going to be some sort of political embarrassment. There have been three or four of them, and all of them have been that way inclined. I do not believe this one is any different. It is purely a political exercise to push forward an agenda on a desalination plant.

The thing is that the government has already announced \$18.5 million in funding for a suite of investigations: a study into desalination and a possible desalination plant; a feasibility study into large-scale stormwater harvesting, which Mr Drum was critical of; and a full

business case on the eastern water recycling proposal. What is interesting about the government's approach and the way it contrasts with the position taken by the opposition on this is that the government is taking a holistic approach to the issue of water; it is taking a complete approach to that issue. The opposition has been putting forward populist proposals: a desalination plant and a new dam. But as Mr Barber pointed out, there is not much point in building a new dam when the ones we already have are only half full. There is simply not enough rain.

It is extraordinary that the people on the other side, who have been the deep climate sceptics in our community and have been denying climate change for years, are now suddenly thinking, 'We had better get onto the water issue because there are some votes in it'. The most stunning example of this occurred either late last week or early this week when the Prime Minister was interviewed on the Neil Mitchell program. Mitchell asked him, 'Do you shower with a bucket?'. The Prime Minister laughed and said, 'Ho, ho, I think that is going a bit far'.

Clearly he does not know what the rest of us in the community are doing — for example, putting buckets in showers for the excess water and using it on our gardens. It was incomprehensible to the Prime Minister. He thought Neil Mitchell was asking him whether he used the bucket to pour water over his head! It showed how out of touch the Prime Minister is on the issue and what the rest of us are facing. We are putting restrictors on our showers, we are putting buckets in our showers, we are recycling where we can. It is a simple thing to understand, and it ought to be simple for the opposition.

The way to deal with the water problem in this state is — —

Mr O'Donohue — Use a bucket!

The PRESIDENT — Order! Mr O'Donohue is warned.

Mr VINEY — The way to deal with the water problem in this state is to reuse more water and use less water. There is a range of other solutions, but they are essentially linked to the policy of reuse and use less. There are things being done by the government — fixing leaks, making improvements to our water catchment systems and the Wimmera–Mallee pipeline, which this government was talking about — if not in 1999 — in 2000, but the federal government refused to come to the party on that. It only came to the party about five years after the government announced what it wanted to do. This government has been talking

about water and dealing with the water issue for a considerable time.

In terms of using less water, the conservation of our water has already achieved great success in Melbourne, with 22 per cent less water use compared to the 1990s. Interestingly, industry has also saved 24 per cent more water since 1999–2000. The government's strategies in this area are achieving results. We have more to do, and we are continuing to do these things. In terms of solutions, which involves using less water and reusing more water, the government's strategies are working.

In recycling the government has spent \$160 million on the upgrade of the western treatment plant, and we are now on track to recycle 20 per cent of the water in that region by 2010. There is the \$19 million Werribee recycling scheme, which is delivering 6000 megalitres to Werribee irrigators. We also have the eastern irrigation scheme; the third pipe recycling system operating in Cranbourne; the \$18 million business case for the eastern water recycling project; the feasibility study for desalination and stormwater, as I mentioned; and the \$300 million upgrade of the eastern treatment plant. In terms of recycling, the government is putting investment into those areas.

Desalination is worthy of consideration, and the government has acknowledged that, but I do not think it is sensible for this Parliament to be arguing that a select committee of this house has the technical capacity to seriously investigate a desalination proposal, given the millions of dollars being spent by the government on a technical and comprehensive feasibility study into a desalination plant.

I doubt that many members of this Parliament would have the technical skill to undertake that work, and the resources of the Parliament do not run into the millions of dollars, which is what the government is spending on its feasibility study. So I do not see how a select committee of members of this house could deal with the desalination proposal with the level of detail needed for its consideration. We are all capable of looking at it broadly and saying, 'Yes, desalination appears to be one solution and needs to be looked at in detail', and that is what is happening, but it also has to be looked at in the context of the entire suite of issues relating to water facing us in this state, particularly the national issue.

We have to deal with improved conservation, we have to deal with improved recycling and we have to deal with the issues of improving leaks and making irrigation more efficient. We also have to deal with the comprehensive issues associated with environmental

flows into rivers. We have to ensure that there is a rational system of water management for irrigators.

Mr Drum said he thought the government should give guarantees to irrigators that they will get their entitlements. Given that it has not been raining it would seem fairly foolish for anyone to give absolute guarantees that people will be able to have their water entitlements forever and a day. I do not think that 10 years ago people would have predicted quite the level of water crisis we now have. Certainly 20, 30 or 40 years ago, when irrigation allocations were being handed out, no-one would have foreseen the level of water crisis in this state; and 20 years ago people were only in the very early stages of talking about climate change, which is the fundamental cause of what we are dealing with today.

If there were to be any kind of investigation of desalination it would have to be in the context of a whole suite of issues around water that are facing us in this state. In addition it may well be appropriate in this Parliament for a joint investigatory committee — the Natural Resources and Environment Committee or another appropriate committee — to have a look at the issue of water, including recycling, reuse, and desalination. But it is not appropriate for this house to establish a select committee to investigate one element of it.

Mr P. Davis — You're opposed to every select committee, are you, Matt?

Mr VINEY — No, I am actually not opposed to every select committee. I am opposed to the way that you use — —

Mr D. Davis interjected.

Mr VINEY — I am opposed to the way the opposition uses select committees. It has demonstrated — —

Mr P. Davis interjected.

Mr VINEY — I am happy to respond to one interjection from Mr Davis, but I am not happy to respond to continual interjections when I am still trying to answer the first one. We do not believe that select committees are being appropriately used by the opposition. Select committees can have a significant role to play, but this Parliament has had an incredible and very successful record with joint investigatory committees. I have mentioned on the record a number of times the committee that the Victorian Parliament should be most proud of — the Road Safety

Committee — because it has achieved enormous things.

Mr D. Davis — The Scrutiny of Acts and Regulations Committee.

Mr VINEY — SARC has worked well too. A lot have worked well, but I am highlighting one that would be internationally recognised as highly successful. Select committees in this place have been used politically, and that is the intention of the opposition in this further proposal for a select committee. It wants to use it as a political means to leverage up its fairly simple-minded approach to the water issue, which is to build a dam — if it does not rain it will not be filled — and to build a desalination plant. The government is happy to look at the latter as part of a whole raft of issues facing this state. For those reasons I intend to vote against the motion before the house today.

Mr D. DAVIS (Southern Metropolitan) — I am pleased to make a contribution to this fine motion put before the chamber today by the Leader of the Opposition. In so doing I indicate that this is something the chamber should support for a number of reasons. This motion proposes the setting up of a select committee, as has been discussed. It is not my intention to talk about the mechanics of the motion, which by now this chamber well understands and which I think are now non-controversial. What I intend to make my contribution about is the substance of the motion, which is to inquire into and report on desalination as an augmentation of Melbourne's water supply and to make the point that Melbourne is in a very serious position with water.

I do not think it is necessary to repeat the daily readings that we are provided with in respect of Melbourne's water supply, but there is clearly a massive issue. Many in the chamber have referred to the water-saving measures that have been undertaken, and most of those measures are strongly supported by the opposition. But it is my contention that the government has not managed well these water supply issues for metropolitan Melbourne. Reading its central water strategy, which was released last year, it is pretty clear that the government did not come to grips with many of the issues prior to the election in either its first or second term.

The government has been caught napping on water supply issues for Victoria, and the issue of climate change has been discussed. Climate change issues are not new. They have been well understood over a lengthy period. The information has become more robust as time has gone on, but the principles of what

has been occurring, in my view and certainly in the view of the overwhelming bulk of reputable scientists, are in essence non-controversial. What this government has not done is put in place the plans and the preparation that would put Melbourne's water supply in a stronger position.

There are two sides to the issue — the demand side and the supply side — and this government has failed on both. It could have achieved far more on the demand side — and I think the demand side is implicitly included in this motion. I interpret talking about the augmentation of Melbourne's water supply to clearly mean both additions to the supply side and the effective addition of greater capacity by the better use and better management of resources on the demand side. I see those issues as a significant part of the deliberations a committee such as the one we are discussing today would undertake.

On the supply side this government has equally fundamentally failed to make proper provision for metropolitan Melbourne. It has failed in ensuring there is an interlinking of our regional cities with the water supply of the so-called central region. It has also failed on basic overall supply issues. It has not honestly and fairly investigated the issue of additional water supply capacity through dams. This government should have been prepared to look honestly and openly at getting a greater supply of water through dams and augmenting Melbourne's water supply in that way. I take no fixed position on some aspects of that, but I think that this government has failed to look at it in a non-ideological, thoughtful and constructive way. That is a serious mistake that has worked to Melbourne's detriment.

Equally this government has failed to look at the option of desalination in a proper, open and transparent way. In the lead-up to the last election, when the opposition released a policy on the desalination of water, the government was highly critical of the policy that we released. Desalination was criticised as an expensive option that is energy heavy and is regarded as difficult in terms of siting. Those are all aspects of desalination that a proper program would take account of.

The way to deal with those issues is through a constructive process that is open and transparent and that actually finds solutions. The Liberal Party would have done that in the lead-up to the election and beyond. If we had been in government we would have moved swiftly to find solutions to those issues. There are solutions with energy, such as using wind power in a constructive way. As to siting, the salinity aspects may well be able to be overcome through technical and

siting mechanisms. Those issues can be worked through in a constructive way.

On the supply side we have the issue of recycled water. The state government has failed to tackle that issue sensibly, constructively or comprehensively. In 2002, in the lead-up to the state election, the government promised to upgrade the eastern treatment plant. Years later, in the midst of a very challenging water position for Melbourne, this state government has failed to get off the ground large-scale recycling at the eastern treatment plant. A feasibility study on the movement of recycled water between the eastern treatment plant and the Latrobe Valley power stations was promised in the lead-up to the 2002 election and again in the lead-up to the 2006 election.

What has the government done with that feasibility study? It has kept it secret and in-house — and it will not release the basis for or the conclusions of that study. It is no wonder people do not have confidence in this government's management of water, it is no wonder people think that the government is secretive and it is no wonder people feel the need to have parliamentary committees get to the bottom of what is going on with water management in this state by looking at these key issues — feasibility studies into desalination and feasibility studies being undertaken into the movement of recycled water to the Latrobe Valley for use in power stations. This government keeps all of that information under wraps; it keeps everything secret. It is not taking the community into its confidence at a time of crisis, which is why this chamber has every right — indeed a responsibility in my view — to be looking at these matters.

Using recycled water is in many respects the most obvious step that should have been taken by this government, but that has not been done on any sufficient scale. I was staggered in the lead-up to the state election when the government laughed at opposition suggestions on mandating third-pipe technologies on larger estates. The Premier ridiculed the proposal for third-pipe technologies to be used to push recycled water back into estates for the purposes of garden and toilet use.

Why did the Premier do that? He was ill-informed and arrogant, as are many government ministers. The opposition released its policies on recycled water through third-pipe technologies in the lead-up to the state election on 8 October. On 12 October City West Water wrote to large developers on the western side of the city, under a heading 'Introduction of new mandatory requirements for dual-pipe water systems'.

That letter was generously leaked to me. It states, in part:

To whom it may concern:

I am writing to advise you of two key new developments in state government legislation related to dual-pipe water systems in new estates.

It goes on to say:

... it is now mandatory for:

developers to install dual-pipe water systems in new residential developments where required by the relevant water authority;

customers to connect to dual-pipe systems where provided when seeking connection to a water supply.

...

The new connection requirements will come into effect on 1 December 2006.

That was conveniently a week after the state election and more than seven years after the government was elected. This government should have been making proper provision for hundreds of thousands of houses built on the fringe of the city in the west, the south-east in particular and in the north. What has the government done to deal with water supply to those areas, to put dual-pipe water systems to pump recycled water into those estates, to drought proof the estates and to look at use of water for toilets and gardens? On 1 December 2006 it mandated the very policy it ridiculed in the state campaign, the very policy that it should have begun implementing systematically and thoughtfully years ago.

This is a government that has failed to make provision and has failed to do the right thing. It is a government that has failed Victorians. This committee offers an opportunity not only to look at desalination but to look at the augmentation of Melbourne's water supply through a series of different mechanisms. Implicit in this motion is a critical part of the committee's work — that is, to examine the augmentation of supply by demand-side management through the sensible use of water and the more efficient use of water alternatives on that site, including rainwater tanks and the full list of other alternatives, and on the other side looking at the augmentation of supply through the use of recycled water and desalination — and the advantages and disadvantages of each of these should be looked at.

This is a motion that would give this chamber an opportunity to do great service to the people of Victoria, and to the people of Melbourne in particular. We cannot look at Melbourne's water supply in total

isolation. The government currently has a plan to pump water over the hills from the Goulburn–Murray system, stripping water out of that system in a way that is not only energy intense but also fails to understand that we need to look close to home and to look at ways that enable us to use water more wisely. We need to look at ways that provide new sources of supply that can be done in cost-effective ways, environmentally sensitive ways and ways that will work with industry.

I commend the motion to the house. It is a balanced and sensible motion, and the select committee, through looking at the augmentation of Melbourne's water supply and the benefits and disbenefits of many of these alternatives as a measure or comparison to how desalination would fit into that picture, can do great service for the people of Victoria.

Mr HALL (Eastern Victoria) — I welcome the opportunity to make some comments on this motion moved by Philip Davis and also make some general comments about Melbourne's water supply, which is the topic of this debate.

I have listened to most of the contributions from members, and apart from government members attempting to distract the Parliament from the issue at hand by making continued reference to reform of the Murray–Darling Basin, most of the rest of the debate has been constructive and addressed the issues. Water, as has been said by every speaker, is an absolute critical issue. It is worthy that the Parliament of Victoria sits down as often as it can to discuss this critical issue and do what is proposed by this motion, which is to spend some of the Parliament's time outside of the chambers discussing critical issues, such as this one related to water.

Apart from Mr Barber, it is obvious the government, the opposition and The Nationals believe there is further merit in exploring options for desalination to augment not only Melbourne's water supply but there may be cases where you can augment local community's water supplies in areas of country Victoria as well. I heard Mr Drum comment that Donald is one such area which has excessive levels of salt in underground water; it could be the subject of desalination at a local level to augment local water supplies as well.

Desalination is used in many countries around the world as a means of obtaining or supplementing water supplies, and it happens here in Australia. We have heard members speak about desalination plants in New South Wales and Western Australia.

When I approached this debate today I thought the issues were twofold: I thought the idea of discussing the option of desalination was a worthy one and I did not think there would be much discussion about whether we should be doing it, given the fact that the Liberal Party has a clearly enunciated policy and that since the election the Labor government has announced it is commissioning a study to explore the merits of desalination. It is something The Nationals also supported as one of many measures that should be considered to ensure we have adequate water supplies for both rural and urban needs into the future.

The issues for me today when I looked at this notice of motion were twofold: firstly, whether a select committee of the upper house was the most appropriate forum to conduct such an inquiry; and secondly, whether the motion is sufficiently broad enough to canvass the issues that it should. There is some debate about both of those points. I am not sure whether a select committee of the upper house is the appropriate and best forum to look at desalination, and whether it can be broad enough in the terms of reference contained in the wording of this motion; nevertheless, it is better than nothing.

Had the government come in here and proposed some other form of committee or produced evidence that it is doing sufficient work to fully explore all these issues, perhaps we would not have had to have the motion this morning. But it has not, and that is why Mr Drum has indicated that The Nationals will be supporting this motion, although, as I said, I have some hesitations about whether the upper house committee is the appropriate forum in which to explore all aspects of such an inquiry.

Mr Viney argues that a select committee does not have the expertise to look into a matter like this. In response I say to Mr Viney that the same argument could be applied to any all-party parliamentary committee of the Parliament. As individuals we do not possess expertise on every single subject area that we are asked to look at from time to time. To overcome that we employ the resources of people with more expertise than we have. We seek the opinions and views of others, we seek submissions from others, and the select committee that would be formed if this motion is passed would do exactly the same. It would call upon interest groups to supply views and submissions about their work in terms of looking at the feasibility of desalination plants to augment the city of Melbourne's water supply. I do not think the argument put forward by Mr Viney that this is not a good idea simply because we as individuals lack that expertise is a valid one. As I said, the same argument could be applied to a whole range of

circumstances in which we are asked to participate as MPs.

If the government had been more cooperative and looked at other means of including the Parliament in a discussion on these matters, it may have been more productive. I can recall that some years ago, when the Bracks government was first elected, it looked at establishing a committee of MPs to look at potential sites for future toxic waste dumps. At that time The Nationals were happy to participate, so long as there was a bipartisan approach to that particular issue. I was a nominee who attended a meeting or two of that committee. But it fell apart because the government of the day wanted to play politics and was more interested in making political gain out of the fact that some political parties were on that committee and some chose not to be than in sitting down and constructively discussing issues with those who were willing to be part of it.

If the government has got, as it claims today, a reference group of experts looking at the merits of desalination, maybe it should incorporate an advisory group of MPs as part of that process. That would satisfy our interests and ensure that all the issues in such an inquiry are properly canvassed. There are other more constructive means the government could have embarked upon if it wanted to avoid what is proposed in the motion — that is, a select upper house inquiry.

The other issue in my mind with respect to the inquiry is whether it will be able to canvass all the issues that I think it should canvas. To start with I refer back to a government media release of 22 June 2005 issued by the then Minister for Water, Mr Thwaites. He announced a new reservoir connection and that the Tarago Reservoir would be reconnected by 2011 to help protect Melbourne's water supplies. He talked about taking from Tarago 21 000 megalitres of drinking water to Melbourne each year, adding 3.7 per cent to Melbourne's capacity. The press release also outlines a number of other measures the government was looking at, including demand management. It refers to a further investigation into desalination plants and that the government was going to undertake a study to look at the potential for desalination in Victoria. This was at 22 June 2005, and precious little has happened since then.

The government also said it would look at aquifer storage and at stormwater harvesting. It first mentioned the eastern water recycling proposal and outlined in brief what it proposed in regard to that. Excuse the pun, but precious little water has flowed down the river since

the time the government spoke about all those measures in June 2005.

I for one would agree with some comments by members of the opposition parties that the government has been extremely tardy in putting in place adequate measures to ensure adequate water supplies, both in Melbourne and in urban centres throughout country Victoria, into the future. With our current water restrictions we are now paying the price for the government's tardiness on a whole range of these matters. If this motion at least makes sure that the government hurries up and does a proper job, it will serve some worthwhile benefit.

As Mr Drum, the lead speaker for The Nationals in this debate, has already indicated, we see there is no single solution; desalination is simply part of that solution. A lot of issues need to be canvassed in this whole debate. I am encouraged by the comments of Philip Davis and David Davis that the scope of this committee will to some extent include being able to look at means of augmenting Melbourne's water supply other than simply by desalination. I hope that proves to be the case.

Despite some hesitation as to whether I think the upper house select committee is the most appropriate forum in which to look at these matters, in the absence of other propositions from the government we believe this is certainly an option worth exploring. As Mr Drum has indicated, The Nationals will be supporting this motion.

Mr LEANE (Eastern Metropolitan) — I am pleased to have the opportunity to speak against Philip Davis's motion. I will go to point 1 of the motion, that the committee be set up to inquire into and report on desalination as augmentation of Melbourne's water supply. I am sure Mr Davis will forgive me but my year 11 English did not cover the word 'augmentation', so I looked it up in the dictionary. Augmentation means to increase or to be an extension of — in this case — the water supply. I am saying that a big part of the inquiry would be devoted to finding out whether, if we built a desalination plant, it would increase the water supply. That is a big part of the inquiry now done. But of course we have issues with these plants in that they use a lot of power, which raises a further environmental issue. There are also the environmental issues of the saltwater, or the brine, that is produced being sent back into the sea.

These two issues have been examined by experts in the field. Mr Thwaites has had access to and has spoken to a number of experts on a number of water initiatives. I know that people in the plumbing industry have been

working closely with him and also with Mr Madden, the Minister for Planning, on a number of measures that will save water. They are in the pipeline now.

Along with reducing the consumption of water — and according to Australian Bureau of Statistics figures Melbourne has been the most successful state in water conservation in Australia, with Melburnians saving 22 per cent of water when compared with the 1990s — there have been a number of initiatives, and there will be more. I am sure this government will look and is looking at any initiative that will not be bad for the environment but will be good for Melbourne and the rest of Victoria as far as saving water is concerned.

I would have thought this issue could be a reference for the environment committee. It is being looked at in other places, so the setting up of this select committee would be a waste of time. I know the Liberals are wedded to their desalination policy and that they were out beating the drum — and good on them — but you would think they had actually invented desalination. There are 7500 desalination plants across the country, so maybe there is a possibility that members of the select committee will get the chance of another junket in going to look at one of them. I am not too sure about that. We are still saying it is an absolute waste of time.

I refer to point 2 of the motion, that the committee will consist of two members of the government, two members of the opposition, a member from The Nationals, a member from the Greens and a member from the Democratic Labor Party (DLP). I have always believed that when you are representing people it is very important to actually get out to see them and listen to them; to get out as much as you can and meet the interest groups and listen to what people have to say. That is the best way that we can come in here and represent them.

I do not know how Mr Kavanagh feels, but he is the only member of the Democratic Labor Party in here. I do not know how he will ever get out to fly the DLP flag; he is their pin-up boy, but he will not be able to get out and fly the DLP flag if he is involved in every one of Mr Davis's inane inquiries. If he is involved in every one, he will never see his electorate, and he will never be able to beat the DLP drum.

I can understand that the opposition parties must be frustrated. They are looking for a strategy to slow the government down and tie us up in all these inquiries. That is the new strategy. You can understand their frustration. The Liberals are acting like a party that got smashed two elections ago — an ugly smashing — and did not fare too much better last November. I would

have to admit — and I think we would all have to admit — that the opposition must be even more frustrated because you have to admit that their leader, the member for Hawthorn in the other place, Ted Baillieu, had a huge crack at it during the election campaign. He had his own bus — the Ted bus. He got out of the Ted bus — —

Honourable members interjecting.

Mr LEANE — The relevance is opposition members' frustration in trying to set up these inquiries. Mr Baillieu got out of the Ted bus, put on the big collar with the rhinestones and did an Elvis impersonation. He was so desperate he was chasing the Elvis impersonator vote! Then he got back in the bus and stopped when he saw a street sign, and what did he do? He hung himself off that street sign sideways. I am not too sure which interest group he was trying to attract by hanging sideways off a signpost. I am not too sure if he thought people would open up the *Herald Sun*, see his picture hanging off a signpost sideways and say, 'That is exactly what this state needs in a leader: someone who can hang off a signpost sideways'.

Then the crème de la crème moment was when he emerged from the ocean in his Speedos, ready to announce policy. I am sure that policy might have been the desalination one, because his advisers might have said to him, 'Please, Ted, distract everyone from this ordinary policy: get in your Speedos!'. I have to say that that was the one time his advisers actually gave him good advice, because it was a great distraction. None of us here could say that during the election campaign Ted Baillieu did not have a huge crack.

Having said that, I do not support this motion. We do not need all these inquiries to tie up our time. I want to get out into the electorate during the times when Parliament is not sitting; I want to listen to interest groups, then be able to come in here and reflect their opinions.

Mr VOGELS (Western Victoria) — I cannot rebut any of that, because nothing much was said about the actual motion we are debating.

I support the general business motion now before the house — that is, that we appoint seven members to inquire into desalination so as to augment Melbourne's water supply. It never ceases to amaze me — and it has been mentioned a couple of times — that government members have opposed every select committee we have ever put up. They are against select committees because they do not want open and accountable government. Members opposite keep telling us they are

open, accountable and transparent, but they definitely are not.

Opposition members are not saying that the desalination plant is the best way to go. We are saying, 'Let us have an inquiry to see if desalination of water is a good and cost-effective way of augmenting Melbourne's water supply'. What really annoys me as a country member of Parliament is that the water always has to come from country Victoria. We now know that we are going to have a so-called super-pipe coming over the hills from the Goulburn Valley, and we will be pumping water to Ballarat and Geelong.

We hear the government continually saying that there is no point in putting in another dam because dams do not make it rain, but putting in pipelines from one empty dam to another does not create water either, so obviously that argument is flawed.

We need to do something different. Yes, we have had 7 years — or 8, 9 or 10 years, depending on to whom you talk — of below-average rainfall, but this has happened on many occasions in the past. I recently went to Lake Bolac in Western Victoria Region, where an environmental group was meeting to look at the issues involving the lake, but I could name many other lakes in the Western District — for example, Corangamite and Gnarpit — most of which are basically empty. It is interesting to go down to these lakes and see that they have fences going right through them. Obviously they have been empty while white men have lived in Australia. Obviously at one stage they were paddocks which people were using to graze stock.

I was talking to Dr Michelle Casanova, who told me that this is a normal part of Australia's history. Most of the lakes in the Western District are about 2 metres deep. They were formed maybe 1000 years ago — maybe 10 000 or 100 000 years ago — when there was a depression in the landscape. Water stayed there in wet years, and as it dried out in dry years the dust blew out and the depressions in the land have slowly got deeper. Most of them are about 2 metres deep, and if you drive from Camperdown, through Foxhow and between Lake Gnarpit and Lake Corangamite, it is like going through the Sahara Desert. There is about a metre of sand built up on both sides of the road and across it. You just about need to turn on your car lights, because the lakes are drying out and all the dust is blowing out over the countryside.

When it does rain again — and it will! — instead of being 2.4 metres deep the lake will probably be 2.41 metres deep, until the next dry period comes.

There is no doubt that we will have an economic disaster if rain does not fall shortly. I think climate change is happening, but it has happened many times before.

In my short contribution I want to mention that we in country Victoria are sick of augmenting Melbourne's water supplies. The people in Melbourne who I know say, 'Yes, we are on water restrictions', but do they waste water? They sure do! We talk about showering with a friend and carrying the water out in buckets, but at the end of the day most people I know use approximately 200 litres of water on every day of the week. If a household has four people, that totals 800 litres. The water is still being used.

I saw in the news only last night that Melbourne's water supplies are down to less than a third. I am a farmer and when my dams are down to less than a third full and another winter is coming up I am very concerned about the future of my farm and farms in south-west Victoria that rely on dams. Most of them are empty. Farmers are spending thousands of dollars a month on carting water. If we do not get a good run and a wet winter this year, the dairy industry in places such as the Heytesbury settlement area, for example, — which is worth about \$1 billion a year to the Western District's economy — will be non-existent.

I find it hard to understand why we would not be having an inquiry into desalination. The government seems to think it is a good idea to have a look at it, as do members of the opposition. What have we got to hide? As Mr Hall said, we are not experts, but all parliamentary committees that I know of bring in experts in from outside to explain and run through the issues, so I do not think that would be too hard.

I will finish by saying that I would love Melbourne to start augmenting some of its own water supply rather than keep pinching it from across the Great Divide, from Gippsland or from what it seems will eventually be the next source — the Otways. I would have thought a desalination plant would be sensible. Maybe the figures will not stack up, but let us have an open and accountable look at the figures and see what happens. I support the motion before the house.

Mr O'DONOHUE (Eastern Victoria) — I am pleased to speak on the notice of motion in the name of the Leader of the Opposition, Philip Davis. I would like to have a look at where we are at at the moment. We have a water crisis in Victoria and, as the water minister mentioned recently during debate on a bill that was before the other house, Victoria has been suffering from drought for 10 years and we should do something about

it. Here we have an eminently reasonable and positive suggestion from the Leader of the Opposition to look into desalination. Desalination is a way to augment Melbourne's water supply without having to rely on rain. As we all agree, the rainfall patterns are unpredictable and may become more unpredictable in the future.

Let us consider what members of the government had to say about this issue. Ms Darveniza talked at length about what the federal government was doing and what The Nationals had done — some sort of alleged deal with some other party. She criticised the federal government for its water plan for the Murray–Darling Basin. We should remember the reason we have a problem with the Murray–Darling Basin is because state Labor governments are incompetent and unable to sort out the problem themselves. They are unable to work through the issues associated with the basin despite the fact that they are all of the same political colour. But we should not be surprised because Labor governments seem incapable of doing much at all.

That takes me to the points made by Mr Viney, who also took great pleasure in criticising The Nationals. But what was his answer to this water crisis? He talked about \$18 million investigation projects to look into the water problem — to look into it! Here we are 10 years into a drought and 8 years into the Bracks government, and what is it going to do? It says it will spend another \$18 million to look into it. But Mr Viney has foreseen the answer to this crisis. The Labor government is going to change its policy from showering with someone else to showering with a bucket. Let us shower with a bucket because that will solve this water crisis. That is what Mr Viney had to say in his contribution, which was rather verbose and extensive but had limited content.

Mr Leane then also contributed to the debate. I think if he checks the *Hansard* he will find that he said Australia has 7500 desalination plants. I think Mr Leane may be incorrect, but it does raise an interesting point. Other Labor governments in Australia have seen fit to commission desalination. This is not an ideological position where the Liberal Party is trying to push some agenda or someone else's agenda. We want to augment Melbourne's water supply because we have a crisis. All Mr Leane could do was criticise the Leader of the Opposition for what he was doing during the campaign, and he talked about wanting to get to the electorate.

We all know that the Labor government does not like sitting in Parliament. We seem to sit fewer and fewer days under this Labor government, and we sit for

shorter and shorter periods. I think that is a product of this government's inability to plan for the future, its inability to set an agenda and its inability to initiate reform. The water crisis we have is but one example of the government's inability to plan for the future. Here we are nearly six months into this Parliament, and what is the government's agenda on water? There is none. What is the government's agenda on public transport? There is none. What is the government's agenda on the environment? It does not have one. What bills have we considered that are of significance to the state of Victoria? I would suggest there are very few.

If you listen to the contributions from the Labor members, you hear their criticisms of the federal government. They talk about matters that have happened overseas and interstate, and they criticise local government. Why are they not talking about their record of eight years in government? Why are they not talking about what they are planning? Why are they not talking about what they are doing? The fact is they have done nothing, and they have no plan for the future. This is a reactionary government that had no plan and has no third-term agenda. It should hang its head in shame for the way it has approached this water debate.

Again I commend the Leader of the Opposition for this motion to set up a select committee on desalination, because as he, Mr Vogels and members of The Nationals said, we need to look at a suite of answers to this water crisis. Desalination is potentially but one part of the answer. Recycling is one part of the answer.

A few weeks ago I stood at the Gunnamatta outfall. I have said this before in the house, but to watch millions of litres of water spew out into the ocean is an absolute indictment on this government's inability to plan for the future, its inability to develop infrastructure and to address the core issues at the heart of this problem.

Ms Darveniza spoke about some of the small projects the government has initiated on water recycling. That is terrific. The government reaps hundreds of millions of dollars in dividends from the water authorities and hands back a couple of measly million to the same authorities to develop minor pieces of infrastructure.

In summary, I support this motion because it is a positive way to address the crisis. What will the government do if there is no rain this winter? What if it does not rain for the balance of the autumn, this winter or during spring? We will run out of water. If that happens it will be an indictment on the state government.

I commend the motion before the house. I congratulate the Leader of the Opposition for bringing it to the house's attention. I look forward to moving forward and contributing to the debate to address the water crisis facing Melbourne and Victoria.

Mr P. DAVIS (Eastern Victoria) — I will sum up briefly. It seems to me that the positions of the government members in this place are reflected in the comments made by Ms Darveniza, Mr Viney and Mr Leane on behalf of the government. In effect they have said that they do not agree with a select committee process. They have endorsed the position of the government, which is that unless the government establishes a committee and controls the numbers on that committee, then it does not have effective control of the outcome of any discussion. They therefore will oppose any such establishment.

Mr Viney interjected.

Mr P. DAVIS — I take up Mr Viney's interjection. The fact is that he has voted against every proposal for an upper house inquiry presented to him while he has been a member of this place. He will today vote against this proposal, which deals with the most pressing issue for Victorians — that is, the security of their water supply. Mr Viney makes the case that because the government is not setting up the inquiry and will not control the outcome, it does not want to have it.

Mr Leane, I might say, made a contribution to the debate today. It beggars belief that a member could come into this place and make such an inane contribution. Mr Leane said this was an inane inquiry. I have to say that if he went out and talked to Victorians, including Melburnians, about the fact that great-grandmothers who are 80 or 90 years old are injuring themselves carrying buckets from their shower to the garden, they would not think his comments were very mature. The government's approach to water management in Melbourne and Victoria is a disgrace. The fact that we have elderly citizens doing themselves physical harm because of the policies of the government is a disgrace.

I turn now to the Greens. I have great respect for the view that the Greens have put out today, which is that they have reservations about desalination. I thought that in my contribution leading into the debate I made the point that there are some serious environmental issues to be addressed. But for the benefit of the Greens, if they do not understand it, the fact is that the government is proceeding with a proposal for desalination. The Parliament is going to have to address the issue. It would seem to me that to deal with the

issues expeditiously it would be useful for this place to have a view. That view would be best informed by the upper house running an objective inquiry to enable parties like the Greens and people who have views such as have been expressed by Mr Barber to lead those issues in an inquiry and to have them thoroughly exposed.

It is a head-in-the-sand approach to reject the notion of an inquiry into a matter with which you may have a difficulty. I will be disappointed if this is to be a consistent approach to the operations of the upper house in this Parliament in the future. Irrespective of the different positions from which we come, the bottom line here is that we have a sacred trust given to us by the community. I believe it is an abrogation of the responsibility of members of this place to say that they have a personal difficulty with a public policy issue and therefore they will not consider it. The fact that the Greens have said that today gives me no faith at all in what it is they think they are here to represent.

In regard to the government's position on the matter, I summarise my position in this way: the government has a proposal which it is looking at secretly. It is not prepared to disclose to the Parliament what the details of that are. The policy position of the government is clear: it is taking on board the opposition's commitment to desalination as a serious augmentation opportunity and is prepared to look at it behind closed doors. I do not think that is satisfactory for the Victorian community.

I thank The Nationals for their support. I have to say that the contributions by Mr Hall and Mr Drum were well informed and well measured. They compared very favourably against those by government members. To the other Liberal speakers in the debate, Mr Davis, Mr Vogels and Mr O'Donohue all made very useful contributions. The minister should ask government members to read those contributions to learn how to make a contribution to a serious public policy debate.

House divided on motion:

Ayes, 17

| | |
|---------------------------|---------------------------------|
| Atkinson, Mr | Kavanagh, Mr |
| Coote, Mrs | Kronberg, Mrs (<i>Teller</i>) |
| Dalla-Riva, Mr | Lovell, Ms |
| Davis, Mr D. | O'Donohue, Mr |
| Davis, Mr P. | Petrovich, Mrs |
| Drum, Mr | Peulich, Mrs |
| Finn, Mr | Rich-Phillips, Mr |
| Guy, Mr (<i>Teller</i>) | Vogels, Mr |
| Hall, Mr | |

Noes, 21

| | |
|------------------------------|-----------------|
| Barber, Mr (<i>Teller</i>) | Pennicuk, Ms |
| Broad, Ms | Pulford, Ms |
| Darveniza, Ms | Scheffer, Mr |
| Eideh, Mr | Smith, Mr |
| Elasmar, Mr | Somyurek, Mr |
| Hartland, Ms | Tee, Mr |
| Jennings, Mr | Theophanous, Mr |
| Leane, Mr | Thornley, Mr |
| Madden, Mr (<i>Teller</i>) | Tierney, Ms |
| Mikakos, Ms | Viney, Mr |
| Pakula, Mr | |

Pair

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| Koch, Mr | Lenders, Mr |
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Motion negatived.

Sitting suspended 12.58 p.m. until 2.03 p.m.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Schools: drug-deal reporting

Mr P. DAVIS (Eastern Victoria) — My question without notice is to the Minister for Education. Will the government amend its schools drug policy so as to require all Victorian schools to report to the police drug dealing on school grounds?

Mr LENDERS (Minister for Education) — I thank the Leader of the Opposition for his question and for the new-found interest of the Liberal Party in education.

Honourable members interjecting.

Mr LENDERS — Yes, Mr Theophanous, the new-found interest of the Liberal Party in education. After closing 300 schools, sacking 9000 teachers and being asleep at the wheel for seven years, it is now paying attention. Hopefully Philip Davis will have a far greater interest in education than his federal minister. The federal Liberal Party's interest in education has gone to new and absurd depths. The federal education minister's latest whacky idea is that every school child in grade 5 should be weighed and their weight recorded, but her Prime Minister said that was just a tad whacky and has overruled her.

Mr Davis's question was about whether drug dealing was being reported and the government's policies in this area. Clearly any criminal offence in this state needs to be reported to the police. The Department of Education will continue to provide advice to our 1594 autonomous schools on best codes of practice and ways they should conduct themselves in difficult

situations. But the answer in relation to any criminal activities is they should certainly be reported to the police.

Supplementary question

Mr P. DAVIS (Eastern Victoria) — In relation to the minister's answer I ask: what is the minister doing to curb the alarming increase in substance abuse in Victorian schools — it rose by 160 per cent between 2000 and 2004 — along with the 317 per cent increase in physical threats, the 123 per cent increase in sexual assaults, the 219 per cent increase in physical assaults, the 76 per cent increase in assaults with a weapon across the same period, and the 16 549 serious incidents of bullying, violence against teachers and racial discrimination that occurred in 2005?

Mr LENDERS (Minister for Education) — The Leader of the Opposition has rolled out gruesome statistics. As we know, every statistic that a person refers to is a person, and when anyone in a school is bullied or is treated with contempt by another human being we need to treat that as a problem and address it. I say to the Leader of the Opposition that there are not a lot of simplistic solutions in parliamentary chambers to deal with statistics. We know on the issue of drugs that during the years of the Kennett government this Parliament — I will put my hand to my heart and give Jeff Kennett some praise in this place — actually held a drug summit in this place that was chaired by Professor Penington. People like the Leader of the Opposition and some other members of this chamber went to the summit, which was before my time in this Parliament, to try to find some community consensus on ways to deal with an eternal problem.

Drug abuse, bullying and sexual offences are problems which have been scourges in our society for a long time. As a community we need to look at ways of addressing those problems. One of the things the Bracks government has done, following a commitment at the last election, is provide a lot more student welfare officers in our schools to start addressing some of these issues at a local level. These problems require a sophisticated multilevel approach. Whether it be through the police and law enforcement or through welfare officers in schools dealing in individual cases with students and families, that is how we address those problems. I do not refute or accept the statistics Mr Davis used; I do not go one way or the other. Statistics are statistics. What concerns me more is that each of those statistics is an individual case. More welfare officers, good guidance from the department, good practice, good teaching staff and support from families are the ways we address those problems. That

is what this government is doing. That is what the department is doing. I am confident that those activities will bring down the level of instances that Mr Davis referred to, which will be a good thing for all of us.

Planning: coastal development

Mr SCHEFFER (Eastern Victoria) — My question is to the Minister for Planning. Sun, sand and surf have become synonymous with being an Australian. Victorians in particular are proud of Victoria's coastline and recognise the need to protect some of our best loved holiday places and tourist attractions. Can the minister advise the house how the coastal councils will be helped to implement their coastal settlement boundaries and landscape assessments?

Hon. J. M. MADDEN (Minister for Planning) — I welcome Mr Scheffer's question and his interest in all things regarding surfing. I know that Mr Scheffer has a particular interest in this issue because his electorate is very involved in many such issues.

Our coastline is precious. The Bracks government is committed to protecting the coastline and to making sure that it is well maintained for future generations. Managing growth and development is a key to the future enjoyment of our coast. As a part of this, last year we launched the framework that identified settlements that were capable of sustaining future growth, as well as settlements that have a limited capacity to accommodate growth. That gave clarity to what needed to be done in our coastal regions. Because of this we provided \$2 million in funding to coastal councils to help them develop their coastal settlement framework plans. This issue is about how those local councils can manage that growth in their particular regions.

Of course there is sea change. Many people want to live in coastal regions. That is great for growth and jobs, but, as I have mentioned before in this chamber, we do not want to love the coast to death. We have a number of groups of councils that are working collaboratively and cooperatively to make sure they do what needs to be done in relation to many initiatives. For example — I know Mr Scheffer will appreciate this — Gippsland councils are involved in a regional initiative in regard to these matters. They have a common strategic approach. Their framework has been adopted by the East Gippsland Shire Council and Bass Coast Shire Council. It is nice to know that not only are we talking about collaboration, we are also seeing it in action. Local councils are working together to make sure they are implementing strategic plans for the future of their own regions and in line with broader state policy. As well as

that, the Greater Geelong City Council, the Borough of Queenscliffe and the Surf Coast Shire Council have done significant work to develop framework plans.

It is worth bearing in mind some of the statistics on these matters. In the order of 19 per cent of towns have coastal settlement boundaries in their planning schemes. A further 58 per cent of towns have framework or structure plans completed. Only 15 per cent of towns have plans still in development, and unfortunately 8 per cent have not yet started. There are some challenges to make sure we have local authorities implementing these proposals at a local level.

It is important that the government accelerate this work. We are doing that by making sure we facilitate the process with local government. As a part of that we will target our remaining funding to make sure these local councils can fulfil their commitments to not only their local communities but also to state policy more broadly. The government is doing this by assisting many of those councils that are doing their coastal spaces landscape assessment.

'Coastal spaces landscape assessment' is a wordy title. It is about particular local councils identifying significant landscapes in and around their coastal communities. It is about allowing them to do strategic work when identifying those landscapes so that they can manage the growth of their communities where that is possible. It is about preventing the fragmentation of the non-urban coastal landscape. These studies are now referenced in the state policy planning framework, which means that the Victorian Civil and Administrative Tribunal has clarity in relation to directions on these matters. No doubt VCAT will take the framework into account when planning decisions are made on coastal land and all of the aspects of the planning scheme.

I recently announced \$115 000 funding for the Surf Coast, Colac Otway and Moyne shires to support the implementation of recommendations like these in the planning scheme. This funding forms part of the \$600 000 that has been allocated to implementing the funding of coastal spaces landscape studies. Basically we are making the investment, and we are working collaboratively with local councils to ensure they do the work with their communities so we can ensure that future generations can enjoy, appreciate, celebrate and continue to grow in those regions along the coast.

I know we have a number of members in this chamber who have coastal communities they work with or alongside, and no doubt they would appreciate the demands and pressures those local councils are under.

We are supporting those local councils and working collaboratively with them to make not only Victoria but those coastal regions in particular great places to live, work and raise a family.

Planning: native vegetation

Mr BARBER (Northern Metropolitan) — My question without notice is to the Minister for Planning. It is in relation to the illegal clearing of red gums at 150 Epping Road, Epping, and the subsequent Victorian Civil and Administrative Tribunal case that was run to enforce the planning scheme. The City of Whittlesea has written to the minister requesting that a native vegetation offset be made mandatory in the case of illegal clearing and that fines for the removal of significant vegetation be increased. To its horror the council found in the enforcement order that a developer seeking to remove the 15 trees under a planning permit would require a substantial and proper offset but that an enforcement order seeking rectification for the same removal could not provide for that outcome. I ask: will the minister amend the Planning and Environment Act and the policy relating to native vegetation to ensure this happens?

Hon. J. M. MADDEN (Minister for Planning) — I appreciate the member's interest in this matter. When anybody illegally removes native vegetation in any form where there is an overlay of any significance in relation to native vegetation, heritage or any other constraints in the planning scheme — where those activities are engaged in a manner that breaches the expectation within the established overlays — of course it is important that people are held to account for those actions. Whilst I have not been informed from within the department of the specific details of this matter — I am not aware of it — I am happy to have a good look at it to find out what the circumstances may or may not have been and to give some consideration as to whether remedies are appropriate or not in such matters where people, intentionally or unintentionally, do damage to the environment, whether it be the built form or the natural environment. I welcome the member's question. I am happy to have a look at that matter and to seek advice from the department as to options in relation to it.

Supplementary question

Mr BARBER (Northern Metropolitan) — I thank the minister. I will provide him with a copy of the council's report that details the matter. If the government's policy, which is delivered through the Planning and Environment Act — that is, the minister's act — is for a net gain in the amount of native

vegetation, why are greenhouse gas emissions from land clearing still 3 per cent of Victoria's total?

Hon. J. M. MADDEN (Minister for Planning) — I do not profess to be a scientist when it comes to these matters. In relation to greenhouse gas emissions into the environment I would always seek to get relevant technical advice from my department. I know, having held the Commonwealth Games portfolio in the last Parliament, that the science of greenhouse gas offsets and emissions from tree planting is not necessarily as specific as we might like. The advice that goes to ministers from relevant authorities or departments no doubt has to be updated on a regular basis, because it is in some ways new technology or new science and it is being reviewed by the scientific community at any given time. I am happy to seek advice on these matters and take technical advice from the department —

Mr Jennings — It is a science-led response.

Hon. J. M. MADDEN — That is right. I will take technical advice from the department in relation to any of these specific matters.

Planning: Great Ocean Road

Ms PULFORD (Western Victoria) — My question is to the Minister for Planning. The minister has spoken broadly about actions taken by the Bracks government that are designed to protect our coasts and assist councils in implementing their coastal settlement boundaries. I ask the minister to advise the house of what specific actions have been taken to protect one of Victoria's most loved icons, the Great Ocean Road?

Mr Drum — Don't love it to death; right? Get that in a few times.

Hon. J. M. MADDEN (Minister for Planning) — I welcome the question. I also welcome Mr Drum's interjection about not loving it to death. I can guarantee Mr Drum that there is no chance we will love him to death.

I welcome Ms Pulford's question in relation to this matter. One of the great icons of Victoria, the Great Ocean Road, is 75 years old. There is a difference between us and Sydney. Sydney is celebrating the anniversary of the Sydney Harbour Bridge, which is 75 years old. The Great Ocean Road is also 75 years old. We do not have to throw a party for the Great Ocean Road because we know how good it is. The difference is that people use the road every day, and on every day that people use it they enjoy it no end. Whether they are local or international visitors, they enjoy it immensely.

The difference is that we are investing dollars into the region. We are investing money into the Great Ocean Road region to make sure that we enhance the opportunities and the enjoyment so that people across Victoria and international visitors can share in what is going on with the initiatives that we have committed to to enhance the Great Ocean Road. The strategy that we released in 2004 was supported by five municipal councils. That is another example of the government working collaboratively and cooperatively with local government.

The Surf Coast, Colac Otway, Corangamite and Moyne shires and the City of Warrnambool, as well as a number of other stakeholders in the region — the Western Coastal Board, Corangamite and Glenelg-Hopkins catchment management authorities, Geelong Otway Tourism, Shipwreck Coast Tourism, Wathaurong Aboriginal Co-operative, Framlingham Aboriginal Trust and multiple state departments and agencies — have all been working to see the implementation of the Great Ocean Road strategy. What we have seen is more than \$13 million allocated for the establishment and management of the new and expanded Otways parks and reserves system, over \$2.5 million allocated to the management and mapping of the habitat of the region's marine national parks and sanctuaries and in excess of \$31 million allocated for road funding and safety improvements associated with the strategy. But there is more —

Mr O'Donohue interjected.

The PRESIDENT — Order! If I hear Mr O'Donohue ask one more time if someone is reading, I will warn him. That is enough.

Hon. J. M. MADDEN — There are so many statistics here that I have to refer to my list, because the list is a very lengthy one. I will continue to refer to my list on this particular occasion. There will be \$7 million allocated over four years to boost employment, tourism and recreation opportunities in the Otways and in hinterland communities. The 154 actions outlined in the strategy are the targets of the strategy. I released a report card showing that 95 per cent of those actions have been undertaken — and I understand that since the release of that report all the recommendations are now under way. This is great reinforcement of the work that is happening in the local community.

To assist councils manage their local settlements, as I mentioned previously, \$2 million in funding has been provided for the development of new coastal town structure plans and additional funding of \$600 000 is being channelled into helping councils to implement the

findings of the coastal spaces landscape assessment study. I would like to congratulate those local councils that have shown such an enormous commitment to doing justice to their communities and to other Victorians who share in the Great Ocean Road.

That is one of the greatest compliments for local government. What we are seeing is that councils not only account for their own local communities but they also acknowledge and appreciate that it is a great attraction that is of great benefit to the state. On the 75th anniversary of the Great Ocean Road I look forward to continuing to work with those councils and the rest of the community to ensure that the Great Ocean Road is not only a great place to visit but is also a pride and joy for all the state.

Building industry: occupational health and safety

Mr D. DAVIS (Southern Metropolitan) — My question is to the Minister for Industry and State Development, who is also the Minister for Small Business. What steps has the minister taken to minimise the negative impact on the residential building industry of the government's proposed new occupational health and safety regime?

Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) — I will try to answer the member's question, but the Occupational Health and Safety Act is not an act which I administer. It is not an act which I am responsible for; there is a minister in another place who is responsible for that. His representative in this place is not even me; his representative is the Minister for Education, Mr Lenders. If the member had wanted to ask a question in relation to occupational health and safety, he could have directed the question to Minister Lenders to answer not in his capacity as the minister responsible but in his capacity as the minister in this house representing the minister responsible. It shows that the member opposite continues to use the forms of the house to ask questions which are not to the point and not relevant to the portfolio responsibilities of ministers.

In this instance what I can do is perhaps give a more generalised answer to the honourable member. I know he loves to hear statistics about how well the Victorian economy is running. Behind his question was the suggestion that the Victorian economy was somehow affected as a result of the application of the occupational health and safety regime and, through that, the WorkCover arrangements as well.

Can I say first of all that it was a Labor government which for a very small period of time — two weeks in this house during the Cain government, after 150 years of not controlling this house — —

Mr D. Davis — On a point of order, President, ministers are entitled to answer questions in any way they see fit but the answers have to be responsive to the question. The minister is clearly not responding to the question. The impact of this — —

The PRESIDENT — Order! The minister is responding to the member's question. He has gone to some lengths to explain that he may not be the best person to answer the question, although he is doing his best. I believe he is on song at this time.

Hon. T. C. THEOPHANOUS — I was going to point out to the honourable member that virtually the first thing the Labor Party did in the two-week period after it first got control of this house after 150-odd years was introduce legislation to protect workers through the occupational health and safety legislation. President, I know you in another role were very interested in the passing of that particular legislation in order to protect workers.

It is a bit rich for the member to come in here and ask questions in relation to worker protection. Let me say this to the honourable member: the fact of the matter is that we have put in place worker protections because we have a basic principle — it might not be Mr Davis's principle, but it is our principle — that we believe when a worker goes to work that same worker should come home at night to his family and he should not be injured in the workplace. That is why we have occupational health and safety regulations and that is why we enforce them. Mr Davis might be prepared to compromise them. Not only have we put them in place but we have also been able to reduce the costs of the WorkCover system that protects injured workers with a series of reductions — —

Mr Lenders — By 30 per cent.

Hon. T. C. THEOPHANOUS — By 30 per cent — there have been three 10 per cent reductions in WorkCover premiums since we came to power. That is an indication of good management. We are managing the system so that businesses are able to reduce their costs while not compromising on safety. We are not compromising on the fact that we want and expect every worker who goes to work to be able to come home at night.

Whether you want to look at an issue like that or whether you want to look at the fact, as I have said

before in the house, that our strategy is actually working, the fact is we are producing an increasing number of jobs for Victorians. We are happy to stand on our record in relation to the number of jobs. I want to reiterate that since the Bracks government was elected, 380 900 jobs have been created. It is the equivalent of about 1000 jobs being created every single week of the Bracks government. That is our record, and it is a far, far better record than that of the previous Kennett government, which during its seven years did not create anything like that number of jobs. Let me give you the figure, President: it was not 380 900, it was 113 181. Our record compared to the record of the Liberals is three times better for job creation.

Supplementary question

Mr D. DAVIS (Southern Metropolitan) — It appears the minister is unaware of many of the changes to the occupational health and safety regime proposed by his government for the residential building industry. The Masters Builders Association of Victoria has estimated that the new occupational health and safety rules, which are modelled on New South Wales, will add more than \$30 000 to the cost of each new home. Therefore I ask: given that the New South Wales occupational health and safety model has delivered inferior work safety, will the minister intervene with his colleagues to ensure this devastating effect on housing affordability and safety is avoided?

Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) — Again this member comes in and asks a question without doing any research. He has not looked at the state of the industry. He has not gone to have a look to see whether the building industry in Victoria is performing or is not performing. He has not had a look at any statistics. He has just rushed in and asked his question. The question was not even directed to the right minister. He then tried to make some capital out of a supplementary question. He has asked a supplementary question in relation to the residential building industry and wants to compare what is happening in New South Wales to what is happening in Victoria. Let me give him the figures.

Last year Victoria had the highest value of building approvals of any state.

Mr D. Davis interjected.

Hon. T. C. THEOPHANOUS — Wait for the figure! There was \$17.07 billion worth of housing approvals. That is our record: \$17 billion. You might

say that we are not the biggest state by population — we are the second-biggest state — but what did New South Wales get? New South Wales, which is the biggest state and which David Davis wants to compare us to, got \$15.71 billion worth of approvals. It just goes to show that David Davis never does any research and there is no credibility in the questions he asks in this house.

Schools: retention rates

Ms DARVENIZA (Northern Victoria) — My question is to Minister Lenders, the Minister for Education. I ask: can the minister outline the state government’s initiatives to ensure that students in rural and regional schools stay at school longer?

Mr LENDERS (Minister for Education) — I welcome Ms Darveniza’s question and her ongoing interest in schooling in rural and regional areas on what is a particularly auspicious day. An a graduate of the Beaufort Secondary College, my colleague Mr Jennings, turns 50 today. So the Labor Party is keeping up with the Greens and also having a 50th birthday in Parliament this week.

Mr Jennings — Thanks for creating the opportunity to say that.

Mr LENDERS — It’s an opportunity, brother! Ms Darveniza asked what we are doing about retention rates in those areas. It is very topical for this question to be asked, because there is some mischief in the *Weekly Times* and other places, with Victoria being talked down by some others on the subject of retention rates in our rural and regional schools.

Mr P. Davis interjected.

Mr LENDERS — Philip Davis asks, by interjection, ‘Who by?’. Shall I say the acolyte of Peter McGauran, the federal Minister for Agriculture, Fisheries and Forestry. This person was reported in the *Weekly Times* as actually talking down Victoria’s rural retention rate.

It is quite interesting that since the election of the Bracks government the statewide retention rate in our secondary schools in years 7 to 12 has gone up by 4 percentage points and the retention rate in rural and regional schools has increased by almost 3 percentage points. Over the seven years of the Bracks government the retention rate in rural and regional schools in Victoria has gone up by 3 per cent.

One can contrast that to another historical period — the seven years before the election of the Bracks

government, when the Leader of The Nationals in another place, Mr Ryan — that acolyte of Mr McGauran — was a member of the Kennett government. At that time the retention rate in rural schools went down by 5 percentage points, from 72 per cent to 67 per cent.

This increase did not just happen because of a change of government: it happened because of the actions of the Bracks government to improve the retention rates in rural and regional Victoria. There were programs such as the Victorian certificate of applied learning and the vocational education and training program and other specific initiatives to encourage students to stay in schools. The programs — whether it be the youth transition workers, the local learning and employment networks or the middle years of schooling — were designed to encourage retention in schools and were initiatives of the Bracks government that applied to both metropolitan and regional schools.

New initiatives such as the Ultranet, which is the responsibility of my colleague Jacinta Allan, the Minister for Skills, Education Services and Employment in the other place, and which was an election promise, are being rolled out to every school, to make schools state of the art across Victoria. That initiative will utilise the broadband access that was overseen by the Bracks government. In addition, measures such as our four new technical education centres being built by the Bracks government outside Melbourne — one in Ballarat and one in Wangaratta — will boost the retention rates in rural and regional schools.

What we are seeing is that the overall participation rate of rural students in education and training is very high in regional Victoria. It is 92.3 per cent, which is higher than in Melbourne. In rural and regional Victoria we have seen a turnaround from the decline in retention rates under the Kennett-McNamara government to an increase under the stewardship of the Bracks government. It is not surprising that Ms Darveniza asked this question because it is a topical area, particularly given the misinformation that was published in the *Weekly Times*.

It is interesting to reflect on the fact that the previous government described Victoria as a place where Melbourne was a beating heart and country Victoria was the toenails.

Mr P. Davis — You cannot hang that on the government.

Mr LENDERS — Premier Kennett said that I invite every member of the house to do what the Leader of the Opposition in this place did yesterday — to come into my office and see the artwork I have hanging on my wall. There are toenails pasted onto a piece of canvas in memory of that Kennett government and the statement by Premier Kennett that Melbourne was the beating heart of Victoria and country Victoria was the toenails. This government inherited that.

It is a bit rich that the acolyte of Peter McGauran, the member for Gippsland South in the other place, Peter Ryan, should be talking down participation rates in regional Victoria in the *Weekly Times*, when this government has a proud record. We are addressing these issues. There is a lot more work to be done, and we will do it with our schools rebuilding program. We value every student in this state, no matter which school they go to or what part of the state they are from. By doing so we are giving our children an opportunity, and we are making Victoria a better place to live, work and raise a family.

Growth Areas Authority: independence

Mr GUY (Northern Metropolitan) — My question is to the Minister for Planning. Can the minister advise the house whether the \$20 million Growth Areas Authority operates as an independent statutory authority?

Hon. J. M. MADDEN (Minister for Planning) — One of the great things about the Growth Areas Authority is that it is working collaboratively with local governments. As I have mentioned before, we have a unique circumstance in this state where basically we are well ahead of the other states competitively in terms of land supply, and we have a significant commitment to ensuring that we provide not only in the order of 25 years of land supply within the urban growth boundary but also, importantly, that we also have somewhere in the order of 15 years of zoned land supply.

Because of that our housing affordability is better than that of Perth or of any other capital city along the eastern seaboard. So what we have is a Growth Areas Authority that works collaboratively with local governments to facilitate the release of land, in particular zoned land, to ensure we get it onto the market, thereby ensuring that we can maintain and retain our competitiveness when it comes to housing affordability with other comparable cities across the country.

Supplementary question

Mr GUY (Northern Metropolitan) — I refer the minister to a letter signed by the supposedly independent Growth Areas Authority's Mike Scrafton, which says that he is seeking advice from the minister on the urban growth boundary and further that the GAA cannot consider growth boundary alterations until it has first spoken to the government, and I ask: can the minister name just one positive independent achievement of the GAA since its inception, or has the authority spent its time and \$20 million budget employing more bureaucrats?

Hon. J. M. MADDEN (Minister for Planning) — I know the member opposite has very little policy to work with on his side of the chamber. When you have very little policy, where do you establish —

Mr Guy — Explain yourself!

The PRESIDENT — Order! Mr Guy has asked his question and his supplementary question, and he might do the minister the courtesy of listening to the answer.

Hon. J. M. MADDEN — When you have very little policy, as the Liberal opposition does, where do you base your case against the government? If you do not have a policy, you do not have any case against the government, so you have to search for vehicles to do that.

I know the federal government wants to ensure that housing affordability is an issue for debate going into the federal election. I know Mr Guy has very close links to the federal Treasurer, Mr Costello, so I can understand why he might be his mouthpiece. But as I have said before in this chamber, it is interesting that the federal government wants to claim its role in increasing household personal wealth when the asset base goes up because of the price of houses and the price of land, but it does not want to accept any responsibility when it comes to housing affordability.

Everyone has a role to play in ensuring housing affordability. We are doing what we need to do. As I mentioned before, we are better placed than any other capital city on the eastern seaboard in terms of housing affordability because we have the Growth Areas Authority working on the government's behalf to make sure that land supply is provided in the way that we want. If Mr Guy has any concerns about it, he should see where it fits in the legislation. Of course the authority is going to react to government policy and implement government policy, which is to make sure we have not only a sufficient land supply but also a zoned land supply.

When it comes to Mr Guy, what is new about any of that? He does not have any policy when it comes to these initiatives. The Liberal Party policy is to let the market determine where the development will occur, to let it happen right across the state — anywhere, any landscape, any coastal landscape. It is to just let development occur wherever it likes — to just let it rip, get the bulldozers out, turn the key, start up the motor and there you go.

We are managing demand to make sure we accommodate affordability. We are doing our bit, but I say to Mr Guy and his colleagues, in association with the federal government: what about the federal government doing its bit when it comes to housing affordability? What about it making the investments and policy settings it needs to make? Maybe the federal government might influence its colleagues in the state Liberal Party to come up with policies on housing affordability rather than letting the bulldozers loose and letting the broadacre development happen wherever they want.

I am happy for Mr Guy to continue to come in here and ask questions about affordability as much as he wants, but he would probably be better off spending that time and energy in getting out there, not in a bulldozer but in a car, driving around the suburbs and coming back with a policy that related to housing affordability.

Alpine School: Snowy River campus

Mr VINEY (Eastern Victoria) — My question is to the Minister for Education. Can the minister advise the house of any Bracks government initiative that expands statewide residential leadership programs for year 9 students?

Mr LENDERS (Minister for Education) — I thank Mr Viney for his question and his ongoing interest in education, particularly on how we get those year 9 students more engaged at what can be a difficult time in their school career.

Mr Viney asked what we are doing in those areas. I am delighted to share with him, and with the house, news about the opening of the new Snowy River centre in Marlo, near Orbost, which I had the great joy of opening about a month or so ago. I was there with the local member, the member for Gippsland East in the other place, Mr Ingram, for the opening of the school. For a bit of bipartisanship, Mr Phil Gude, a former education minister, was also there, so we had the spectrum well and truly covered.

The Snowy River rural learning campus is very innovative in that 40 year 9 students who have been chosen as future leaders stay there essentially for a term. Five students from each of eight separate schools attend the campus. They come along for this extraordinary experience away from home.

Mr P. Davis interjected.

Mr LENDERS — Perhaps Philip Davis could have the next Liberal love-in at the campus at Marlo. Perhaps it might be a little more civilised than the love-in they had up at Graeme Stoney’s place at Mansfield. Perhaps they could go to Marlo, where the students have a worm farm and can see things decompose — in this case, Liberal policy. They have all sorts of things. They have water tanks for recycling, which arguably would cover Liberal policy, and I could go on.

The centre is fantastic. The students attend there for nine weeks. I am assured it is modelled very much on the alpine one in north-eastern Victoria, where the students who come from the alpine area have gone forward from year 9 to almost inevitably become school leaders in year 12. We see a great deal of confidence among the students who come out of the campus. They learn extraordinary skills — they learn independence, they learn bushcraft, they learn about environmental areas, they have general schooling and they meet new people. It is a fantastic program. The government hopes to roll out a third campus of this kind at Glenormiston in the next couple of years so that more students in the state system can have the experience that often has been limited to students at the more elite private schools.

It interesting to contrast this with some of the educational policies that the federal minister, Julie Bishop, comes up with. I mentioned before her latest proposal to weigh every year 5 student in Australia.

Mr Jennings — Simultaneously?

Mr LENDERS — Perhaps simultaneously, and then record them. The Prime Minister fortunately had the sense to call Mrs Bishop back and say, ‘You are not going to weigh every student’.

The other day I met an educator from the private system who actually described Mrs Bishop’s regime as Moscow on the Molonglo. What you have is a Moscow-style regulatory regime that weighs every student on the Molonglo River in Canberra in a way that would make the former secretary to the Communist Party of the Soviet Union blush. Mrs Bishop is more extreme than the Marxists of Moscow. We are not here

to talk about Moscow on the Molonglo, we are here to talk about Marlo and about Victorian schools. We have a great school in place.

Mr Jennings — This is in the index under M, isn't it!

Mr LENDERS — It is inspirational, but the most exciting thing about the Marlo school, and ones like it, is that it is giving year 9 students in Victoria a fantastic opportunity to participate in leadership programs and to go out into their communities. The young people I saw there were an inspiration. I am pleased that I am 48 and that by the time those students get to 18 and want to get into this Parliament I will be gone, because they are the future leaders of the state. The more of that we cultivate in our education system the better. There is a great group of Victorians out there, and I look forward to them being in government because they will make Victoria an even better place to live, work and raise a family.

Aboriginals: heritage regulations

Mrs COOTE (Southern Metropolitan) — My question is to the Minister for Aboriginal Affairs. I refer to the proposed introduction of the Aboriginal heritage regulations, which, in typical Bracks government style, are shrouded in mystery and confusion. Will the minister assure the house that no Victorian farmer will be burdened by red tape and expense in complying with the pending Aboriginal heritage regulations?

Mr JENNINGS (Minister for Aboriginal Affairs) — I thank the member for her combination of interest and concern — and in this case concern for the wellbeing of Victorian farmers. Indeed this is an issue that has been the subject of public commentary of late. Despite the alarm and the agitation that may have been generated in some public commentary, I can say to the house and the Victorian community that no farmer, in fact no developer, in the state of Victoria should be unduly alarmed about the introduction of regulations that are appended to the Aboriginal Heritage Act that was passed by this Parliament almost a year ago and has been subject to implementation and transfers of responsibility from the commonwealth jurisdiction to the state of Victoria.

The good news for all people who want to go about business in Victoria is that the scope of the legislation, and the scope consequently of the regulations is almost identical to the scope of the existing commonwealth legislation with the overlay of the planning regime in Victoria. We have spent a lot of time harmonising the effect of the commonwealth act with the new Victorian

act and integrating it with the planning scheme approval processes within the state. Whether it be through authorisations and planning permits that may be subject to the planning scheme under the Planning Act or whether it be through approvals that may currently exist under the Catchment and Land Protection Act, there will be harmonisation of this regulatory regime.

It will provide for greater certainty not only for Aboriginal people in terms of their knowing that cultural heritage matters will be assessed prior to planning approvals being issued and that there will be provision for the appropriate management of cultural heritage but very importantly also for developers who want to go about their business and who have been subject to uncertainty previously about whether cultural heritage applied or not. They will now have a greater degree of confidence when they go into their local planning office to see whether cultural heritage assessment is required. That will be very clearly articulated and clear for all to know.

The legislation and the regulations have been well received by the development industry. It recognises that it provides greater certainty for it going forward. Indeed the farming community, through the Victorian Farmers Federation (VFF) and other stakeholders, has been involved in the development of the regulatory regime. There had been some premature speculation about what the scope of those matters might be and how they would be enforced. When they drew public concern in the *Weekly Times* recently I took the opportunity to immediately resume our relationship with the VFF.

I personally met with the leadership of the VFF to discuss these matters. I gave them an undertaking at that time that they would be fully consulted and involved in the consideration and consultation about the regulations. As a result of that meeting I believe we have ensured that we have an appropriate constructive and collaborative approach to this and that there will be opportunities for the Victorian community to have a look at the regulations over the course of the coming weeks. We will be associated with the publication of a regulatory impact statement so that there will not be any surprises. We will have the opportunity to embed those regulations appropriately to augment the scope of the act.

Supplementary question

Mrs COOTE (Southern Metropolitan) — Were members of the minister's staff correct in stating that farming activities, like establishing orchards, irrigated cropping systems and even ripping rabbit warrens, will

all be impacted by the dead hand burdening these regulations?

Mr JENNINGS (Minister for Aboriginal Affairs) — I think the member and the farming community will be reassured to know that people should not be jumping at shadows in relation to the application of these regulations. As I indicated to the house a few minutes ago in my substantive answer, we have been trying to ensure that the regulations dovetail with the scope of the current cultural heritage act that applies in the commonwealth, that it integrates with various planning regimes within the state of Victoria and that it is consistent with requirements of legislation such as the Catchment and Land Protection Act.

Under those circumstances some of the activities that the member describes may be covered by existing planning approvals and approvals under those various acts. In fact I think it is appropriate, when the regulations are released shortly, for people to scrutinise the impact of them and to have a realistic assessment about whether there is an additional regulatory burden or whether there is harmonisation of the regulatory regime. My contention is that it is a harmonisation of the regulatory regime and that people who go about their daily business in productive agricultural activity in Victoria have nothing to fear from the impact of these regulations. In fact many farmers throughout the state of Victoria actually see the value of protecting cultural heritage on their properties. They see it as an asset which they can be proud of and share, secure in the knowledge that these cultural heritage values have been protected.

I reject the fundamental premise that this is all a downside situation for farmers. Many farmers throughout Victoria recognise the value of protecting cultural heritage while being able to get on with their business in the years to come with certainty, confidence and respect for cultural heritage.

Wind energy: Dollar

Mr HALL (Eastern Victoria) — My question without notice is directed to the Minister for Planning, the Honourable Justin Madden. I draw the minister's attention to the Dollar wind farm project in South Gippsland, which was the subject of a planning panel consideration in early 2005. Given that the panel completed public hearings on 6 May 2005, and despite the fact that the planning application was suspended at the request of the developers on 30 October 2006, one presumes the planning panel completed and submitted its report to the minister in that intervening 18-month period. Will the minister confirm that either he or his

predecessor received a report from the planning panel, and will he make publicly available that report and its recommendations?

Hon. J. M. MADDEN (Minister for Planning) — I welcome Mr Hall's question in relation to the Dollar wind farm proposal. The proponent, Dollar Wind Farm Pty Ltd, lodged a planning permit application for a 79.2 megawatt wind energy facility totalling 48 turbines. The former Minister for Planning determined that an environment effects statement was not required for the proposal and that the planning permit process would investigate environmental issues. As the member mentioned, the planning permit applications for the wind energy facility and for the removal of native vegetation have been subject to public exhibition, and in the process 1500 submissions were received. Submissions lodged with respect to the planning permit applications were considered by an independent panel, which met at Foster.

The project's new owner, the Australian Gas Light Company (AGL), has requested that consideration of this proposal be suspended. This request was agreed in mid-October 2006. This means that neither planning permit application will progress further until such time as AGL requests that the consideration of those applications recommences.

Supplementary question

Mr HALL (Eastern Victoria) — The minister has responded but in no way has he answered the question in which I asked for a release of the report, so I need to frame a supplementary question in this manner. Because the planning process has been suspended, does that prevent the minister from releasing the planning panel's report or are those 1500 people who made submissions and presented at the hearing, including me, to be left in the dark by this open and accountable government?

Hon. J. M. MADDEN (Minister for Planning) — I advise Mr Hall that, as the proposal has been suspended, there currently is no proposal in the real sense. If it were reactivated, then consideration would be given.

Mr Hall — If a report is made, will it be released?

Hon. J. M. MADDEN — If Mr Hall would like me to try to assist him by answering the question, rather than his interrupting me: as I said before, the proposal has been suspended. If that were to be reactivated or sought to be reactivated in any shape or form by the current proponent, AGL, or the person who retains that proposition, then I would give consideration or seek

advice from my department in relation to the matter. At this present time there is no project, as I understand it, to go ahead. It has been suspended. So there is no point in people, in a sense, consuming their energy.

Mr Hall interjected.

The PRESIDENT — Order! Mr Hall has asked his question; I would like to hear the answer, even if he would not.

Hon. J. M. MADDEN — As I mentioned, President, I am trying to assist Mr Hall by giving him a fair answer, as fair as I can give him, and I am trying to do that in this chamber. When a member asks a question I give them as fair an answer as they might seek. I understood that to be a fair question, so I am trying to give a fair answer.

Mr Finn interjected.

Hon. J. M. MADDEN — I hear the interjection from Mr Finn, and of course members would appreciate the way in which I sometimes answer Mr Finn's questions.

This proposal has been suspended. When it is reactivated, if it is reactivated, I would seek advice from the department in relation to this matter. If the department recommended that the panel's recommendations be fulfilled in any way, whatever those recommendations may or may not be, then I would be happy to make them publicly available and to release them. But at this point in time there is no point in scaremongering, because the project has been suspended.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Minister for Education) — I have answers to the following questions on notice: 123, 149–68, 191–207.

Mr BARBER (Northern Metropolitan) — In accordance with the standing orders I have contacted some ministers whose answers to questions from me are outstanding. I ask for the assistance of the Leader of the Government to chase up the following ministers in another place: the Minister for Energy and Resources, the Minister for Public Transport, the Premier and the Minister for Water, Environment and Climate Change. I will give him a list of question numbers, if that assists him.

The PRESIDENT — Order! I would appreciate the numbers of those questions being on the record.

Mr BARBER — They are 50, 52, 55 to 59 and 132 to 134, if they have not been covered by the ones just released.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Meetings

Mr LENDERS (Minister for Education) — I move:

That the Public Accounts and Estimates Committee have leave to meet and take evidence for the purposes of the 2007–08 budget estimates inquiry during the sitting of the Council on Thursday, 3 May 2007.

Motion agreed to.

LIVESTOCK DISEASE CONTROL AMENDMENT BILL

Second reading

Debate resumed from 15 March; motion of Hon. T. C. THEOPHANOUS (Minister for Industry and State Development).

Mr VOGELS (Western Victoria) — I rise to speak on the Livestock Disease Control Amendment Bill. The main components of the bill deal with Victoria's ability to respond to an exotic disease outbreak and ensuring we have adequate powers to respond in the event of a disease outbreak affecting livestock.

The commonwealth Department of Agriculture, Fisheries and Forests carried out an evaluation of Australia's capability to manage zoonotic emergency animal outbreaks on the heels of the avian influenza scare a few years ago. The word 'zoonotic' means a disease which is capable of spreading to humans, so obviously we are very much concerned about those sorts of diseases. The exercise demonstrated that Australia's response arrangements are robust, but there were a number of shortcomings in the Livestock Disease Control Act, hence the need for this legislation.

Members of the opposition believed that there were still some shortcomings in the act, and that was borne out in the debate in the lower house. I am very pleased to say that the government has decided to move an amendment to strengthen the powers of inspectors to deal with the confiscation and destruction of items.

I would like to congratulate the Minister for Agriculture in another place, Joe Helper, and his staff for bringing forth this amendment, which we all talked about over a couple of weeks and which we all agree is a good amendment. We will be supporting it.

The bill will also allow Victoria to implement a nationally agreed approach to compensation for tuberculosis (TB) in cattle. Once this legislation becomes law the state will no longer be required to fund up to 40 per cent of the cost of compensation for cattle identified with TB. If needed, this money will come from the Cattle Compensation Fund, all of which comes from levies on the industry itself.

I believe that originally the state funded up to 40 per cent through the Department of Human Services, because TB is transmitted to humans mainly through cow's milk, and the only way to defeat this disease in humans is to get rid of TB-infected dairy cows. I clearly remember when this program was first started in the 1960s. My family were sharefarmers down in the Western District. The eradication program was started, and 60 per cent of my family's herd of 110 cows were found to be infected with TB. There is no doubt that other farms in the district had similar numbers of infected cows. It was devastating for a lot of the farmers in those days to lose up to 60 per cent of their herd to TB.

I can still remember dad waiting for each cow to be tested for TB. He said, 'There goes another one of those good 3-gallon cows. We will never be able to replace her'. Three gallons is about 13½ litres. We are drying them off now, and they are probably doing about 30 or 40 litres, so things have changed on that level as well. The program was very successful. I do not think any TB has been identified in cows or cattle for at least the last 15 years, so it was an excellent program.

This bill will also clarify which milk products can be fed to pigs by amending the exemption to the prohibition of swill feeding of pigs under the act. This change will make it clear that any milk from any source can be fed to pigs. I believe we need to act with caution, because it has been proven that the last outbreak of foot-and-mouth disease in England came from a piggery. The outbreak finished up costing England and Great Britain billions of pounds in lost livestock and whatever, so we need to be very careful about what we feed to our pigs.

I return to the guts of the bill — that is, to make sure we have control measures in place to deal with an exotic disease outbreak if it were to find its way to our shores. Due to our isolation and where we are situated in the

world scene, I believe we are very lucky in not having any, or very few, of those exotic diseases. One reason is because we are so isolated, but that does not detract from the wonderful work Australia's quarantine inspection and customs officers do in making sure we keep our clean-and-green image abroad.

According to the Productivity Commission, the potential cost of a foot-and-mouth outbreak in Victoria would have a total impact on gross domestic product of between \$8 billion and \$13 billion in the first year, so you can imagine how devastating that would be.

This bill deals mainly with avian influenza, an infectious disease of birds caused by the type-A strains of the influenza virus. I downloaded some information from a website, which says:

Avian influenza (AI) is an infectious disease of birds caused by type A strains of the influenza virus.

There are 16 subtypes of AI virus, some of which cause severe mortalities in birds. The disease occurs worldwide but, at present, a particular strain of AI called H5N1 is causing great concern as it is spreading globally. This strain was first discovered in Hong Kong in 1997 and has now spread further in Asia (nine countries have reported outbreaks) and to Europe and Africa, resulting in death or destruction of over 150 million birds. As well, there have been over 240 human cases —

as I said before, avian influenza is a zoonotic disease, which means it can spread to humans —

with over 120 deaths ...

Obviously, if you get this bird flu, you are 50 per cent likely not to be around for long, so we can see how deadly this virus is. The article continues:

In poultry AI viruses cause two distinctly different forms of disease — one common and mild, the other rare but with high mortality.

...

Wild waterbirds —

which are the most likely to bring AI into Australia —

can be an important vector for the international spread of AI viruses.

...

Another route for the introduction of the virus could be via smuggled birds or poultry products.

As I said before:

Humans are an 'accidental' host for the AI virus. Although the consequences of a human pandemic should not be underestimated.

All state governments have signed up to the Australian veterinary emergency plan (AUSVETPLAN), and I have had a good look at that plan.

Turning to the bill, clause 3 inserts new paragraph (d) in section 3(1) of the Livestock Disease Control Act 1994, under the heading 'Definition of fittings'. To the definition of fittings the clause adds:

- (d) equipment or other articles —
 - (i) which are normally used in connection with livestock and which have been brought into contact with any livestock product; or
 - (ii) which are used in the processing or manufacture of livestock products and which have been brought into contact with any livestock product.

The issue in the debate was about what is normally used in connection with outbreaks of disease — that is, the equipment and other articles. During the debate in the other house there was some concern about whether equipment that is not normally used would be able to be confiscated or destroyed.

As I said, the Liberal Party will be supporting the bill and the amendments to be proposed during the committee stage. The bill proposes a number of amendments to the Livestock Disease Control Act 1994, including an amendment to broaden the definition of fittings in the act. The definition of fittings currently captures things associated with livestock. The bill proposes to broaden the definition to include certain things brought into contact with livestock products. This is because things which have been in contact with diseased livestock products could then spread the disease to livestock.

As I said, the bill refers to equipment and other articles. During the second-reading debate in the Legislative Assembly opposition members raised a concern that the new broader definition of fittings will not include some items on which an inspector may need to take action to prevent the spread of disease. An example was provided of someone going into a freezer of frozen meat which is potentially diseased wearing a watch. The expanded definition of fittings included in the bill would not include the watch as it is not normally used in connection with livestock.

The definition of fittings would be too broad if it applied to anything brought into contact with a livestock product, particularly given the broad definition of livestock products. For example, it would include cutlery used to spread honey in someone's home. If it were defined in this way, the definition

would also include things which could not reasonably be included in a definition of fittings.

It is proposed to maintain the definition of fittings as drafted. However, to ensure that the power to deal with other articles such as watches, clothing or basically anything else is available if needed for disease control purposes, it is proposed to amend the bill as set out in the house amendments. The house amendments provide for an amendment to the powers of an inspector to require disinfection or disposal of fittings so they apply to other articles which the inspector reasonably suspects or believes have come into contact with diseased livestock products or are within an infected vehicle, premises or place. It basically covers everything. I am pleased to see that amendment.

The poultry industry, which is basically what this bill is intended for, is a very important industry in Victoria. The industry was worth about \$362 million in 2002–03 — the latest figures I could find — which was about 28 per cent of Australia's total production. Victorian eggs were worth about \$70.5 million and constituted 25 per cent of the value of Australian total production. Chicken production dominates the sector; however, turkey, duck, quail, and game birds are also an important part of our poultry industry. We need to make sure that we put in place protection in case an avian influenza should arrive in Australia. I got some independent advice which strengthens my concern that the bill in the form passed in the Assembly is not strong enough. It states:

Equipment or other articles that are capable of transmitting diseases are known as fomites (= an inanimate object or material on which disease-producing agents may be conveyed).

The ability of fomites to play a role in the transmission of disease depends on the individual disease but also on other factors such as climactic conditions, degree of exposure to the disease et cetera.

AUSVETPLAN —

which as I said before basically all the states have signed up to —

is a series of technical response plans (there are 30 different ones dealing with different diseases) that describe the proposed Australian approach to an exotic disease incursion compiled by Animal Health Australia using the latest scientific information. AUSVETPLAN plan could be considered the disease-control bible for the states to follow (they are obliged to follow them). The documents provide guidance based on sound analysis, linking policy, strategies, implementation, coordination and emergency management plans. They are available at www.animalhealthaustralia.com.au. There is a manual for each of the exotic diseases. All of the states have agreed to the manuals.

The key issue that I picked up from reading the AUSVETPLAN is clearly that items that are not normally used in connection with livestock are capable of playing a role in disease transmission for both foot-and-mouth disease and avian influenza, two of the most highly contagious and devastating diseases known to man. The opposition is very pleased that the government has decided to amend the bill, and we will be supporting that amendment.

Mr HALL (Eastern Victoria) — When the Parliament is required to debate a piece of legislation like the Livestock Disease Control Amendment Bill we are indeed extremely fortunate to have the presence and the services of two resident veterinarians in the Parliament. Dr Denis Napthine and Dr Bill Sykes, the members for South-West Coast and Benalla in another place, can lend their expertise to provide a thorough analysis of not only this amendment bill but also the general topic of livestock disease control. If you want to know anything about the subject at all, you need only go to the *Hansard* report of the Assembly debate and read the excellent contributions of Dr Napthine and Dr Sykes, who outlined their extensive backgrounds in this area. In particular Dr Sykes of The Nationals was involved in disease outbreak control programs in the United Kingdom when it had major foot-and-mouth outbreak controls. He was an Australian vet who went there to assist the British authorities to control that outbreak. Consequently the debate in the Assembly included a very thorough analysis by Dr Napthine and Dr Sykes. Indeed if this piece of legislation has their imprimatur as members of opposition parties, then I think we all should accept their advice.

It was the contributions of Dr Napthine and Dr Sykes that pointed out some potential deficiencies in the legislation. I think the government was grateful for their views on that subject. It is pleasing to see that the government was able to come to some agreement with both the Liberals and The Nationals on the preparation of some house amendments to address a particular deficiency in relation to the term ‘fittings’ in this bill. I will mention that briefly in a minute. Mr Vogels read out the description of the amendments that are being proposed during the course of the debate this afternoon, and my colleague Dr Sykes believes that they are appropriate amendments and will address the deficiency that was identified during the course of the debate in the Assembly. The Nationals are happy to support those amendments. We will be supporting the bill, as was indicated by Dr Sykes in the debate in the Assembly.

I wish to say a couple of words in general about livestock disease and livestock disease control in

Australia. We have an enviable record from the point of view of both preventing disease and controlling outbreaks when they occur. We are the envy of many countries around the world for the measures that we have in place. It is not as if we as a country are immune from livestock disease. Probably most members would be aware that not long ago we had an outbreak of anthrax in northern Victoria, which was quickly addressed by the various authorities in an appropriate way. There have been such outbreaks from time to time, but there has never been an outbreak of a serious nature due to the rapid response from the various authorities.

I am also aware that it was not so long ago that we had a major outbreak of ovine Johne’s disease in Victoria. That was particularly prevalent in Gippsland in parts of my electorate. Again, the response was good but it was not without hardship for many of those who held sheep stock right throughout Victoria when flocks of sheep were totally destroyed in some instances. We know that they are drastic measures that cause significant hardship to the owners of those stock, but they are necessary if we are going to control livestock disease in this country. I praise the various authorities for the work they have done and also the responsible attitude demonstrated by livestock owners when there is an outbreak of livestock disease. I think generally they realise the importance of taking such drastic measures.

The legislative framework in responding to livestock disease is set out in the Livestock Disease Control Act 1994, which is the act to which this amendment bill is directed this afternoon. Although it is only a short bill, there are amendments in what I have grouped as three different categories. First of all, clauses 3 and 4 and also clause 9 of this bill go to the issue of improving legislative powers regarding the ability to require disinfection and destruction of fittings which have been in contact with livestock products and also vehicles, premises or places where livestock or livestock products are kept. Now that these additional powers are available to inspectors, they can actually destroy, dispose of or disinfect products in all areas where they may have come into contact with livestock disease. It is these areas where there is seen to be some deficiency in the bill itself to which the amendments, which I am sure will be agreed to during the course of debate this afternoon, are directed.

Clause 5 of the bill allows for milk from any source and not just from a licensed milk manufacturer to be fed to pigs. Again, experience has shown that a greater variety of products can be safely used as feed in the pig industry in Victoria. The third grouping of amendments is contained in clauses 6, 7 and 8, which relate to the

Cattle Compensation Fund. Essentially there are three points to those amendments. The bill will now allow contributions to the Cattle Compensation Fund from national livestock industry bodies. It will also allow for reimbursement of industry bodies and remove the requirement for the minister to contribute 40 per cent of compensation payments for tuberculosis. I have been assured that the industry supports these changes. That has been reported to me by Dr Sykes, so we are happy to support those as well.

As I said, a detailed and thorough response to the issues raised in the bill was provided by our official spokesperson in this area, Dr Sykes, in the Assembly debate. I certainly do not pretend to have the knowledge or the ability to cover the subject as well he did, but I am assured about and take his advice that this is good legislation that will improve the way in which we react and respond to outbreaks of livestock disease in Australia. With those words, I advise that The Nationals are happy to support the bill.

Ms TIERNEY (Western Victoria) — I rise to speak on the Livestock Disease Control Amendment Bill as well. Firstly, can I say that I do not have a veterinary science or a medical background, but I did have the honour of working for the Australian Public Service Association. It was through the portfolios of the federal Department of Primary Industry and Energy and the quarantine services that I became quite familiar with the work that our members undertook. It is in that context that I first wish to acknowledge the hard work and commitment of the men and women who have provided this country with disease control regimes that are second to none compared with those of other countries. Whilst our geographic location as a nation protects us somewhat from disease having easy access to our borders, we have not been complacent. We have been vigorous and proactive to ensure that our country is protected from disease.

Many of us have actually grown up in a culture where quarantine processes and procedures were discussed and reinforced. At primary school, protecting primary industry was drilled into our collective consciousness and remains there today, I would argue. Hence the continued support for organisations such as the CSIRO and the state and federal departments of primary industries. So it is in this light that we can continue to be vigilant. We know what is at stake. In the blink of an eyelid the meat industry, the poultry industry, the dairy industry — those very industries that are prominent in western Victoria — could be brought to their knees by a lack of procedure, a lack of education or just sheer carelessness.

Clearly animals can be affected by the spread of disease, which is what the Livestock Disease Control Amendment Bill attempts to deal with, but there are also primary producers, farmers, process workers, inspectors, supervisors and saleyard workers who are in the front line and who can be seriously affected by the spread of disease. Overnight our export contracts can collapse and securing future markets can become much more difficult, all of which can have a significant impact on the Victorian and the nation's economy that we will feel the effect of in years to come.

The amendments before us arose from an exercise that Mr Vogels mentioned. It was conducted in 2005 and was based on a hypothetical outbreak of avian influenza in Victoria. It was to test that our disease response systems were reliable and to ensure that we were prepared in the advent of a real situation such as that. The participants in the exercise from the Australian government were the Department of Agriculture, Fisheries and Forestry; the Department of Health and Ageing; the Department of Prime Minister and Cabinet; the Department of Foreign Affairs and Trade; the Department of Environment and Heritage; the Department of Transport and Regional Services; Food Safety Australia and New Zealand; Emergency Management Australia; and the Australian Animal Health Laboratory.

Participants from the states and territory governments were the Department of Primary Industry; state and territory departments of health; first ministers; Emergency Management Australia; and the Environment Protection Authority. Industry organisations that played an important role were the Australian Chicken Meat Federation; the Australian Egg Corporation; Free Range Egg and Poultry Australia; Game Bird Australia; and the Australian Poultry Industries Association. Other participants included Animal Health Australia, the Australian Poultry Cooperative Research Centre and the Australian Biosecurity Cooperative Research Centre. All in all there were about 1000 people who participated directly in the exercise.

The exercise identified some shortcomings in the act, which the bill provides for as follows: expanding the definition of fittings to include implements and items which have been in contact with livestock products; providing an inspector with the power to dispose of or destroy fittings and fodder when he or she suspects contamination; enabling the inspector to issue a disinfection notice when he or she believes that a vehicle, premises or place where livestock products are kept is infected with disease; and providing greater

clarification on the source of milk that can be fed to pigs.

The bill also includes amendments to the compensation arrangements for tuberculosis in cattle, which was also mentioned by Mr Vogels. It also provides a vehicle for the national agreement to allow contributions to be made to the Cattle Compensation Fund by industry bodies and to require the minister to contribute to payments. This provision will come into effect when the relevant agreement is signed.

The amendments provide greater definition and clarification, they provide additional authority to inspectors and, I would argue, they streamline the compensation arrangements. I think there is general concurrence that these initiatives are important and worth while and will contribute to the control of livestock disease in this country. Industry supports the amendments to the act, and appropriate consultation has occurred.

I would also like to take this opportunity to raise another aspect, which is mentioned in section 2.5 of the evaluation report. It states that during the exercise international observers indicated that Australia may consider working with international bodies to further explore the capacity for developing countries to undertake similar exercises to test their procedures for controlling and/or eradicating disease. We all know that disease does not recognise geographical boundaries and working more closely with our neighbouring countries can only assist in controlling disease and prioritising and protecting our primary industries. The industry and the agricultural and health sectors at all levels of government need to be congratulated not just for participating in the exercise itself but for raising consciousness of the issue, for raising the bar on controlling disease, and for reinforcing the need for ongoing exercises and the need to update our response mechanisms to disease. I commend the amendments to the house and look forward to seeing ongoing work between industry and government into the future.

Mr O'DONOHUE (Eastern Victoria) — I am pleased to rise to speak on the Livestock Disease Control Amendment Bill 2007. Like Ms Tierney, I do not profess to be an agricultural scientist, although I am a veterinarian, but I am pleased to say that my father is an agricultural scientist and consequently has reinforced to me over many years the importance of disease control. Indeed I may just say at the outset that disease control in livestock industries is critically important — in eastern Victoria the livestock industry is the backbone of many, many communities — but at a broader level disease or the perception of disease is

used as a new form of protectionism. As trade barriers are reduced around the world, the fear of disease is used as a new form of protectionism. Mr Vogels in his contribution to the debate appropriately referred to outbreaks of disease in Asia and England — and just the mere perception that there may be a risk is reason enough for countries to put up barriers. As an exporting country, we have to be extremely vigilant to make sure that we are disease free.

As a result of Japan and South Korea being concerned that mad cow disease may potentially exist in the United States, Australia has been the beneficiary of the exporting to those countries of livestock and of beef and meat products in particular. Countries use these strategies as a way to protect their own domestic industries or to give access to preferred countries for trade. As an export-orientated country, we must be extremely vigilant. I congratulate the quarantine service and others involved in ensuring that livestock disease does not get into Australia. As more and more products are traded globally, it gets more and more difficult to keep Australia disease free. We are very lucky that the commonwealth quarantine service does such a fantastic job.

Moving on to the bill before us, the amendment bill arose following an exercise into a hypothetical outbreak of avian influenza, or bird flu, in Victoria in 2005. Hypothetical exercises take place from time to time and are important in improving processes. These amendments arise as a result of such a hypothetical exercise. The bill does three main things. First of all it expands the definitions of fittings which may be destroyed or disposed of which are normally used in connection with diseased livestock or products when an outbreak of disease occurs. Again we have been lucky that the contributions to the debate on this bill made by the members of the non-government parties in the other place, together with advocacy from the shadow Minister for Agriculture, have resulted in the amendments which I believe will come before the house shortly. Those amendments will close a potential loophole through the removal of the word 'normally'. Again, Mr Vogels has outlined that issue in some detail, so I will not repeat it.

Secondly, the bill amends the provisions regarding swill feeding of pigs. As many members would know, the most common cause of foot-and-mouth disease is the swill feeding of pigs. The amendment allows the feeding of different forms of milk and milk products and does not pose any threat of an increased likelihood of disease.

Thirdly, clauses 6, 7 and 8 of the bill relate to tuberculosis (TB) compensation. We are fortunate there has not been an outbreak of TB in Victoria for 15 years. Those clauses will allow for future compensation for TB in cattle to be paid by the cattle industry rather than the state. I understand the industry supports this proposal, and we in the Liberal Party therefore support it.

In summary, we support this amendment bill, noting that the reservations regarding the word 'normally' have now been addressed through the proposed amendments that I hope will be tabled shortly. I also take this opportunity to congratulate the Minister for Community Services on the statement of compatibility with the Charter of Human Rights and Responsibilities on this bill. In the statement of compatibility the minister went into some detail to explain what potential human rights may be infringed as a result of the bill. I think he came to the correct conclusion that there is actually no breach of the Charter of Human Rights and Responsibilities. I ask the minister to give some training to his colleague the Minister for Health in the other place, Bronwyn Pike, on how to complete a statement of compatibility properly. I commend the bill to the house.

Mr BARBER (Northern Metropolitan) — The Greens will support this bill with the foreshadowed amendments. We appreciate the efforts of the Labor and Liberal parties in sorting out those matters and bringing forward some amendments for us.

Mr SCHEFFER (Eastern Victoria) — The overriding purpose of the Livestock Disease Control Act is to manage, contain and eliminate diseases that threaten livestock. The other objective of the act is to protect people against disease that can be picked up from infected animals. Some of the amendments contained in the present bill arise out of an evaluation of Australia's capability across industry and government to deal with an outbreak in diseases that can cross between human beings and animals. The evaluation identified some shortcomings in the act, and the bill now under consideration forms the basis of some of the resulting amendments. The evaluation report and key findings were released by the commonwealth Department of Agriculture, Fisheries and Forestry. They contained a detailed description of the national emergency zoonosis exercise. I confess I had to resort to the dictionary to discover that zoonosis refers to animal diseases that can be transferred to humans.

The evaluation took the form of a simulation, named Exercise Eleusis — another reference to Hellenic

culture, which seems to have preoccupied the organisers of these studies, relating of course to Eleusis, a site sacred to the Ancient Greek earth goddess Demeter. This exercise involved a three-day activity that simulated a very serious outbreak of avian influenza. The simulation was conducted after a year of preparation and consultation with the full range of organisations and individuals that would be expected to play a role in managing and containing such an infectious outbreak. Over 1000 people were involved in the exercise.

The evaluation report says that the activity was very successful, that it fully tested the system and was able to identify its flaws. It also found that Australia's response arrangements are in very good shape and that the country's systems are well able to deal with disease outbreaks involving animals. The evaluation found that Australia's preparedness to manage emergency animal diseases has to date been successful and valuable. It found that a national approach is the key to the country's success in this area, that there is a high knowledge level amongst policy-makers and a recognition of the need to continue to place a big emphasis on skilling up personnel working in this important area.

The evaluation report is positive, and it inspires considerable confidence in the capacity of the commonwealth and state governments and the industry to deal with emergencies arising out of potentially devastating disease outbreaks. But there were some areas of the Livestock Disease Control Act that the evaluation simulation exercise identified as needing some improvement.

It found, for example — and this has already been mentioned by previous speakers — that definitions of fittings should include items that have been in contact with livestock products rather than only when the items have been in contact with the animals themselves. The evaluation exercise also found that inspectors who suspect that fittings and fodder have been in contact with diseased animals should be permitted to have the fittings and fodder disposed of. As well the evaluation report recommended that an inspector should be able to issue a disinfection notice for places where animal products are stored as well as for places used to sell, exhibit or process these products. This gives the inspector more legal backup if he or she suspects that there is infection in these places.

Some other improvements to the Livestock Disease Control Act have come to the government's attention, and they have been included in this bill because they will benefit the industry. Clause 5 of the bill amends

section 41(2). This is an extremely important clarification relating to the feeding of milk products to pigs. Members will know that the feeding of swill — food waste that contains meat or meat by-products — is banned in Australia because it is a dangerous practice that can cause the outbreak of serious disease. The exception is Australian milk by-products from a factory or milk processing premise licensed under the Dairy Industry Act. Feeding swill to pigs can expose them to disease and that could lead to an outbreak that would damage the industry and the economy.

As a result of the amendment in this bill, the act will make it clear that milk from any source, not just a licensed milk manufacturer, can be fed to pigs and that milk products from a licensed manufacturer can also be fed to pigs. The change is important because the swill feeding of pigs, if carelessly managed, can lead to enormous devastation, as previous speakers have indicated. The contributions of the members for South-West Coast and Benalla in another place have been extremely informative, both of them being vets. I have learnt a considerable amount from reading their contributions.

The final matter dealt with in the bill concerns cattle compensation arrangements for tuberculosis. Tuberculosis is a significant cattle disease, and the states and the commonwealth have, since the 1920s, mounted a succession of campaigns to achieve its eradication. There have been no cases of bovine tuberculosis for well over a decade. The significance of that achievement should be acknowledged here. The commonwealth and state governments have over time also developed a number of structures through which to fund the campaigns that finally eradicated bovine tuberculosis.

Under the amendments, the way in which contributions are made to the Cattle Compensation Fund is changed. Under the current arrangements, the government contributes 40 per cent, and the fund contributes the balance. Under the new arrangements in the bill the fund will pay the full amount. All in all this is good and important legislation. I commend it to the house.

Mrs PETROVICH (Northern Victoria) — I rise to speak in support of the Livestock Disease Control Amendment Bill 2007. This bill comes before this house at a time when avian influenza has been of great international concern. The impact of that influenza on economies and communities across Europe has been tragic.

Such an outbreak in Australia is feared. It could have a devastating effect on our poultry industry, which is not

solely our chicken market as my region has a large industry of producers of duck, turkey and other fowl, especially game birds. An avian influenza outbreak would be a tragedy both from an economic position and a position of community health and wellbeing. It seems that this particular influenza is transferable to human beings, which is extraordinarily frightening.

The Livestock Disease Control Act is the principal legislation for ensuring that livestock disease is minimised and controlled. Therefore it is important to note that the legislation has flaws, which will hopefully be addressed by this amendment bill. This bill assists in the maintenance and eradication of exotic livestock diseases; this is significant for rural and regional Victoria. The bill has strong implications for our agricultural production and export markets which generate billions of dollars for our economy, both domestically and internationally.

The bill also has significant implications for the control of disease in animal stock in industries like the equine industry. When we talk about agriculture and disease prevention the equine industry may not be an industry that comes to mind immediately. I am concerned that there is currently no registration of ownership of horses or, in fact, any real understanding of how many horses there are in Victoria, where they live and who looks after them. I am not talking about bloodstock and animals of a particular worth.

My concern arises because of instances of neglect, which I have recently witnessed first-hand on properties in central Victoria. It is clear that some individuals do not have the ability, capacity or values to look after animals or horses, or to even provide basic care such as food and water to animals. In the case of the starving horses in Kyneton, the unchecked breeding and the lack of horse-handling experience meant that the execution and control of a disease outbreak would have been very difficult to deal with, particularly because there is little knowledge of how many animals are in Victoria, where they are located and what condition they are kept in.

An instance of an outbreak of equine influenza would be absolutely devastating to our racing, thoroughbred and standardbred industries. If the influenza was allowed to spread because of a lack of knowledge about the location of animals, how they are kept and the present standard of husbandry being provided by backyard breeders, it would be quite devastating and be worth billions of dollars to the more sophisticated thoroughbred and racing industries.

The proposed amendments will make significant changes and markedly improve the situation. Currently

if an inspector has knowledge or reasonably suspects that fittings and fodder have been in contact with diseased livestock, they have the ability to dispose of or destroy fittings and fodder or order their disposal or destruction. Currently a disinfection notice is limited to vehicles, premises or places where livestock or livestock products are commonly exposed for sale, exhibition or to be processed. The proposed amendments will provide power for the inspector to issue a disinfection notice at the place where the livestock and livestock products are kept and over the vehicles which carry disease from one place to another.

One shortcoming of the original act relates to the swill feeding of pigs. It is clear that the wording of the act has caused some confusion about which milk and milk products can be fed to pigs. The bill will now make it clear that milk and milk products from any source, not just a milk manufacturer, can be fed to pigs.

It is important to note that the shortcomings of the act were identified through the Eleusis exercise that was conducted in 2005 and which was based on a hypothetical outbreak of avian influenza. One of the things members need to acknowledge today about the reality of such large-scale outbreaks of livestock disease is the devastation it actually causes people who have to deal with the euthanasia of livestock and the disposal of carcasses. Not only does this cause great economic hardship and psychological distress, but generational breeding programs are lost and cannot be replaced. Prevention and control is the answer. I trust that this bill will assist in the prevention of this type of hardship in our agricultural sector.

This amending bill is extraordinarily important to rural activities and animal husbandry in rural and regional Victoria and the many primary producers in Northern Victoria Region, of which I am lucky enough to be one of its representatives. In the case of an outbreak of contagious animal disease, it is important that we have the sorts of steps available to our officers to make sure that these contagions are not easily spread.

One other thing that is very important to note today is that a national approach has been adopted regarding the Cattle Compensation Fund, which will provide compensation for tuberculosis in cattle. It has already been mentioned today that we have not had an outbreak of tuberculosis for over 15 years, and I hope that remains the case. The act will now be amended to facilitate this national approach which will give some surety of compensation to affected farmers. On that basis, I will close my contribution. I commend the bill and the suggestions about the proposed amendments to the house.

Ms BROAD (Northern Victoria) — I also wish to speak in support of the Livestock Disease Control Amendment Bill. The amendments contained in this bill represent further improvements to the Livestock Disease Control Act in the interests of ensuring that livestock disease is minimised and controlled, that exotic livestock disease is monitored and eradicated and that public health is secured from diseases that can be transmitted from livestock to humans. The amendments contained in this bill also implement a national agreement that has been reached by all stakeholders that in future compensation for tuberculosis in cattle will be paid by the cattle industry, which is quite an achievement.

As a result of past efforts it has not been necessary to pay any compensation for tuberculosis in cattle for some years. However, past experience is a very salutary reminder of the need to continually improve our efforts in controlling livestock disease. A more recent reminder is the outbreak of anthrax in cattle in the Tatura-Stanhope area, an outbreak that required the vaccination of around 33 000 head of cattle, which was quite an undertaking. Anyone who has any experience in raising and caring for livestock will understand the distress that comes from dealing with the effects on livestock of injury and disease, particularly when there is no option but to put stock down. When you are very young it is particularly hard to understand. That is just on a human level, before the need to protect public health, such as in relation to avian flu, and the economic imperatives for confronting livestock disease — for example, in relation to the dairy industry, which creates some 50 000 jobs in Victoria alone — are taken into account.

I would like to acknowledge and congratulate the long list of stakeholders who have participated in preparing these amendments to improve the Livestock Disease Control Act, and I think it is worth placing on the record all the stakeholders who have very generously participated in this process over a period of time. They include the Victorian Farmers Federation, the Livestock Saleyards Association of Victoria, the Australian Livestock and Property Agents Association, the United Dairyfarmers of Victoria, PrimeSafe, the Livestock Transporters Association of Victoria, Dairy Food Safety Victoria, the Australian Veterinary Association and the Australian Meat Industry Council. That is a long list of organisations and people who have participated in achieving the result that we have before us today.

I would also like to acknowledge all those people across Australia — around 1000 in total — who participated in the national exercise held almost

18 months ago to evaluate the capacity of industry and government to manage outbreaks of livestock disease. Through that exercise they have also assisted in updating and improving response strategies. I wish the bill a speedy passage.

Ms DARVENIZA (Northern Victoria) — I am very pleased to rise to make a short contribution to the Livestock Disease Control Amendment Bill. I speak in support of the bill.

Government amendments circulated for Hon. T. C. THEOPHANOUS (Minister for Industry and State Development) by Ms Darveniza pursuant to standing orders.

Ms DARVENIZA — Previous government speakers have already outlined in some detail what is in the bill. This bill certainly will ensure that the state of Victoria has adequate powers to respond in the event of a disease outbreak that affects our livestock. The amendments will also ensure that we here in Victoria have the powers required to adequately respond if there is an outbreak of disease.

The bill will address a small number of shortcomings that have been identified in the act. They were identified during a simulated outbreak of avian flu that was conducted back in 2005. The shortcomings identified during that exercise have been addressed in this bill, and I know previous government speakers have spoken at some length about that.

The bill will also allow Victoria to implement a nationally agreed approach to compensation for tuberculosis in cattle — —

Mr Dalla-Riva — Acting President, I draw your attention to the state of the house.

Quorum formed.

Ms DARVENIZA — As I was saying, the bill also allows Victoria to implement a nationally agreed approach for compensation for tuberculosis (TB) in cattle. This is quite an achievement. It has taken an absolutely massive effort on behalf of the government, government departments and farmers to eradicate both brucellosis and tuberculosis in cattle. That occurred during the 1970s and 1980s. I want to take this opportunity while dealing with this bill to pay tribute to the role of the Department of Primary Industries and the former Department of Agriculture, especially the Office of the Chief Veterinary Officer and his predecessors, and also, as I said earlier, to the farmers for their fantastic effort in being able to eradicate the two

diseases, brucellosis and tuberculosis, which had a very big impact on our cattle.

The industry-supported national TB agreement will also have a massive impact on our exposure to compensation. It will reduce the exposure to compensation, which the government had to find in the past, from 40 per cent to nil. I congratulate all those involved in that effort.

The bill will also ensure that livestock disease is minimised. That is what we will see as a result of this bill. Diseases will be minimised and better controlled. This bill will also provide for the monitoring and eradication of exotic livestock diseases. At the same time it is going to ensure that the general public is kept healthy; that our public health is of a good standard and protected against diseases which can be transmitted from livestock to humans.

I would also like to join with my parliamentary colleague Ms Broad to also thank the many organisations which have not only supported the amendments that have been made to this piece of legislation but have also been consulted on the drafting. They include a range of peak bodies, including the Victorian Farmers Federation, the Livestock Saleyards Association of Victoria, the Australian Livestock and Property Agents Association Ltd, the United Dairyfarmers of Victoria, PrimeSafe, the Victorian Livestock Transporters Association, Dairy Food Safety Victoria and the Australian Veterinary Association as well as the Australian Meat Industry Council.

This is a good bill. It is about controlling diseases in our livestock and eradicating diseases. It is also about protecting the public against diseases that could be transmitted from livestock to humans. I commend the bill to the house.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1

Mr VOGELS (Western Victoria) — The Liberal Party fully supports the amendments. It is a great outcome. It shows that if we work as a team in this house, we get better legislation. The legislation is important. We believed there were a couple of things that could have been and should have been strengthened. Following discussions with Chris Devers

and with the help of Joe, no doubt — sorry, the Minister for Agriculture in the other place — —

The DEPUTY PRESIDENT — Order! If Mr Vogels mentions members by their names, I ask that he use their surnames rather than their first names.

Mr VOGELS — Following discussions with Chris Devers and the Minister for Agriculture, the Honourable Joe Helper, I think we have achieved a better outcome. We are very happy to support this bill. We need to make sure that our poultry industry is protected, and we need to make sure that the inspectors out there have the powers to deal with disease if there is ever an outbreak. We fully support the amendments and the bill.

The DEPUTY PRESIDENT — Order! I remind the house that we are in effect dealing with clause 1, which is the purposes of the bill. I understand Mr Vogel's remarks refer to all the amendments, and they are on the record.

Clause 1 agreed to; clauses 2 and 3 agreed to.

Clause 4

Mr LENDERS (Minister for Education) — I move:

1. Clause 4, lines 25 to 27, omit all words and expressions on these lines and insert—

‘() For section 15(1)(b) of the **Livestock Disease Control Act 1994** substitute—

“(b) any livestock, livestock product, fodder, fitting or any other article has been in contact with diseased livestock or a diseased livestock product—”.’
2. Clause 4, line 31, omit “fitting or fodder” and insert “fodder, fitting or article”.
3. Clause 4, page 3, line 6, omit “fitting or fodder” and insert “fodder, fitting or any other article”.
4. Clause 4, page 3, line 7, after “livestock” insert “or a diseased livestock product”.
5. Clause 4, page 3, line 9, omit “fitting or fodder” and insert “fodder, fitting or article”.
6. Clause 4, page 3, line 12, omit “fitting or fodder” and insert “fodder, fitting or article”.
7. Clause 4, page 3, lines 15 and 16, omit “fitting or fodder” and insert “fodder, fitting or article”.

Amendments agreed to; amended clause agreed to; clauses 5 to 8 agreed to.

Clause 9

Mr LENDERS (Minister for Education) — I move:

8. Clause 9, line 15, before “After” insert “(1)”.
9. Clause 9, after line 18 insert—

‘(2) In section 113(1)(e) of the **Livestock Disease Control Act 1994**, for “or fitting” substitute “, fitting or any other article”.’.

Amendments agreed to; amended clause agreed to; clause 10 agreed to.

Reported to house with amendments.

Report adopted.

Third reading

Mr LENDERS (Minister for Education) — I move:

That the bill be now read a third time.

In so doing I would like to thank all members of the house for their cooperation and, as Mr Vogels so eloquently put it, their cross-party cooperation on fixing an error. I wish the bill a speedy passage through its remaining stages.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

NUCLEAR ACTIVITIES (PROHIBITIONS) AMENDMENT (PLEBISCITE) BILL

Second reading

Debate resumed from 15 March; motion of Hon. T. C. THEOPHANOUS (Minister for Industry and State Development).

Mr VOGELS (Western Victoria) — There must be an election in the wind because if ever I saw a bill that reeks of political spin, the Nuclear Activities (Prohibitions) Amendment (Plebiscite) Bill is it. I was just saying earlier that we can work together for the betterment of Victoria, but this just reeks of political spin. It requires the Minister for Energy and Resources to initiate a plebiscite of Victorian electors if the minister believes or perhaps even thinks that the commonwealth government has taken or is likely to

take any steps supporting or allowing the construction of a prohibited nuclear facility in Victoria.

The bill empowers the minister to determine the question to be asked at the plebiscite. It requires the minister to conduct the plebiscite at the time the minister considers most advantageous — and no doubt this will be in the lead-up probably to a federal election — to the health, safety and welfare of the people of Victoria. It will apply the Electoral Act 2002 provisions on constitutional amendment referenda with various modifications. The minister will approve the distribution of a 2000-word argument against the proposal and a 2000-word argument in favour of the proposal after consultation with the commonwealth minister. The bill will also authorise the minister to decide that voting will be by postal voting, in which case the Local Government (Electoral) Regulations 2005 will apply with various modifications. It will also allow the officers of registered political parties to appoint scrutineers.

As I said before, this bill is a political stunt which, if enacted, will cost millions of dollars to carry out an exercise on a hypothetical question set by the government for party political purposes. I do not trust the Bracks government to frame the for and against arguments so that the voters have a clear and open question. We all understand and have seen on many occasions when people are polling or trying to find out how people will think or vote, that somehow the questions are framed so that you know what sort of answers you will get. I remember the old one that asks, 'Have you stopped beating your wife?'. There is no answer you can give that will not land you in trouble. Everything depends on how you frame the question.

The opposition and I do not believe that complete control over the calling, timing, method and wording of the plebiscite and over the wording of both the for and against cases should rest with the Minister for Energy and Resources. It is not democratic. I can just see Peter Batchelor and Bracksy sitting down over a glass of red wine and saying, 'Listen, I think Ruddy is in a bit of trouble. We had better have a plebiscite to stir things up a bit and see if we can get a bit of scaremongering into the campaign. You had better get in there and start writing the for and against arguments. Then we will stir up as much angst as we can in the community by doing that'. I find it interesting that when those opposite call for a plebiscite it may not need to be based on the federal government's stated policy position on a nuclear power facility but may be based simply on a media release about a nuclear power station in Victoria — that is probably strong enough under this legislation for the minister to go ahead and have a plebiscite.

The hypocrisy of this lot is that they will all go to the ALP federal conference next week and will sit there and vote for more uranium mining in Australia. We know that their federal leader, Kevin Rudd, wants to ditch the three-mines policy and have more uranium mines so they can sell yellow cake overseas to other countries in the world that are using nuclear power to generate electricity, yet they can sit here and say with a straight face, 'But not for Victoria. Happy enough to send it everywhere else in the world, but we cannot have it here in Victoria'.

I would like to quote from an article by Katharine Murphy published in the *Age* on 4 April 2007. It states:

At the 2007 party conference in three weeks time, Kevin Rudd will move a resolution scrapping the ALP's ban on new mines.

...

But Mr Rudd has won the support from a majority of the right and has pockets of support from the left to push the motion through.

I do not know who on that side of the house is on the left, who is on the right and who is in the middle, but I have no doubt that this policy will be adopted at the Labor Party conference, and the hypocrisy is showing through clearly there already.

I understand that what the Prime Minister is trying to do is have a debate to see whether we should have nuclear power stations in Australia. I have never been afraid of a debate. A debate is all about having the for and against arguments put and letting people discuss the issues. There is nothing wrong with having a debate. But the way I read this bill, if it goes through and the Honourable Peter Batchelor, the Minister for Energy and Resources in the other place, has a dream one night that there might be a nuclear power facility in Victoria at some stage, he can start putting together his 2000-word plebiscite and write the arguments both for and against the proposal. I do not think that is democratic; in fact it is an outrageous proposition.

As I said before, this is just a political distraction to try to beat up an issue before the federal election. The former Minister for Energy and Resources, who is in the house, supports the measure. We should spend much more of our money getting cleaner coal and cleaner energy. We all want solar power, but I believe in the end tidal power is probably the cleanest energy we could ever get.

I agree with the use of solar power, but I do not support wind farms because they are an abomination across country Victoria. I know the city people love them but

they do not have to look at them or live near them. Wind power is not the answer. Wind power in country Victoria has divided communities, divided families, pitched father against son, and so on, which is a shame.

Wind power is not economic. We should be spending more of our taxpayer dollars on carbon sequestration as well as solar power, but tidal power at some stage should be looked at.

In the Western District there is a \$30 million trial at Nirranda to work out carbon geosequestration, which is basically putting carbon back into the ground. An article in the Warrnambool *Standard* of 9 April states:

Nirranda's \$30 million role in the fight against global warming has been unveiled to the world in Paris.

There, 20 countries agreed to list it as a project of international significance.

The geosequestration project will remove harmful carbon dioxide, a greenhouse gas, from raw gas, compress it and inject it deep underground to be stored in an empty gas field.

The state and federal governments hope to use the pilot project to hone technology that would clean up the energy sector and industries that emit excessive carbon dioxide.

...

The CO2CRC's Otway project in south-western Victoria joins Canada's Weyburn project, the Texas Frio project and several other leading international projects researching, developing and deploying geosequestration technology.

That is an excellent project that should be supported. They are the issues the government should be looking at rather than scaremongering about having a plebiscite if the Prime Minister one day calls for a debate.

If the plebiscite said it supported nuclear power in Victoria, would the government then say, 'Sorry, you cannot have it anyway'. The Warrnambool *Standard* a couple of weeks ago held a referendum on whether the people around Warrnambool would support nuclear power; the results were 48 per cent in favour and 52 per cent against, so the result was close.

Mr Pakula — Do you respect the majority?

Mr VOGELS — I respect the majority, but the result if the referendum was pretty close. I would be interested to see the results of the plebiscite the government is talking about, because if the result was that 51 per cent of Victorian supported nuclear power as an alternative source of energy, would the Bracks government then say, 'We will not take action on this plebiscite because that is not the outcome we wanted'. The government has not explained or outlined whether it would take action on the results of the plebiscite.

Mr Hall — It is not binding on anyone.

Mr VOGELS — It is not binding anyway, I know that. It would cost millions of dollars to conduct a plebiscite across Victoria, if it were to be done properly. If no notice is to be taken of the outcome, why have it in the first place? Why have the debate?

I remember a few years ago in this house the Labor Party was dead against privatisation of water and introduced bills so that water could never be privatised, yet about 12 months ago the government tried to flog off the Snowy Hydro scheme to put more dollars in its coffers. I know the money would have been spent on education had the scheme been sold, but at the end of the day legislation was passed that water would not be privatised. We know that Snowy Hydro stands for water.

The bill is nothing more than political grandstanding by the Bracks government. The Liberal Party does not support the bill. I believe amendments will be moved by the Greens, and I will be interested to see what those amendments amount to. At this stage we do not support the bill.

Mr HALL (Eastern Victoria) — The bill amends the Nuclear Activities (Prohibitions) Act 1983. None of us was around in 1983, so a worthwhile starting point for this debate is to go through some of the provisions of the 1983 act and understand exactly what that act says and therefore try to work out a reason why we should be amending it in the way it is proposed.

The Nuclear Activities (Prohibitions) Act 1983 is not a very big act; it has only about 15 sections. The essential part of the act which looks at those activities that are prohibited are contained in part II. Without reading through all those parts I shall go to a couple of headings and inform members of the chamber what is prohibited in Victoria according to the provisions in the act. Part II is headed:

Prohibition of certain nuclear activities

If one goes back to the definitions in section 2 to see what the term 'nuclear activities' is defined as, it means:

... any procedure or operation involved in the mining, milling, conversion, enrichment, fabrication, use, reprocessing or disposal of nuclear material.

Section 5 of the act is headed:

Prohibition against exploration etc. for uranium or thorium

In particular, section 5(1) states:

... notwithstanding the terms of any mining title, a person shall not explore, mine or quarry for uranium or thorium.

Section 6 refers to what happens when you find uranium in the course of mining for other minerals within Victoria. It says basically that you are not allowed to mine for it unless the maximum amount of uranium is 0.02 per cent of that product which is mined; or in the case of thorium, 0.05 per cent of the product that is actually mined. If somebody were undertaking a mining activity and came across greater volumes than those stipulated maximum amounts, then they would have a real problem. It would go back to the mining department, I presume, for it to work out where they would go from there.

Section 8 is headed 'Prohibition against constructing or operating certain facilities'. It says:

- (1) A person shall not construct or operate —
 - (a) a mill for the production of uranium or thorium ...
 - (b) a facility for conversion or enrichment of any nuclear material;
 - (c) a facility for the fabrication of fuels for use in nuclear reactors;
 - (d) a nuclear reactor or a nuclear power reactor;
 - (e) a facility for reprocessing spent fuel; or
 - (f) a facility for the storage or disposal of any nuclear materials.

Finally, section 9 is headed 'Prohibitions against possessing etc. nuclear material'. It states:

- (1) A person shall not —
 - (a) have in his possession;
 - (b) use;
 - (c) sell;
 - (d) transport;
 - (e) store; or
 - (f) dispose of by any means —

any nuclear material ...

I would have thought those provisions in the Nuclear Activities (Prohibitions) Act make it clear that we are not going to stand for any nuclear activity at all in Victoria, unless the Victorian Parliament at some stage wishes to amend those provisions in the act.

It then begs the question: why is the act being amended to include a plebiscite provision within the act itself. I say there is no reason why there should be an amendment. There is no point in having a plebiscite when all of those activities are prohibited anyway. As I said by way of interjection when Mr Vogels was making his contribution, by the sheer provisions of this amending bill, there are no binding powers on the outcome of any plebiscite that is conducted, whether it is directed and no matter how the question is framed.

If it is a plebiscite — that is, a referendum question directed to the Victorian government — it does not bind the Victorian government in any way. If it is a question that tries to seek some commitments from the federal government, then there is no binding power on the federal government anyway. It is purely — I think these words are what were used by the minister in the second-reading speech — an expression of view of the people of Victoria.

If we are to have a plebiscite, then at least give it some teeth and make it binding on the government on behalf of those to whom the plebiscite question is actually directed.

It is meaningless; it is an absolute nonsense. If you look at the second-reading speech, you see that it is all hypothetical because the speech says very clearly:

... a plebiscite of Victorian voters if the commonwealth government takes action to support or allow construction of a nuclear facility in this state.

If they are going to do it, first of all they will have to find a constitutional power to override the provisions of the Nuclear Activities Prohibition Act, which I have just quoted to the house. What do members think would happen if the commonwealth government tried to find a constitutional power to override that? I am sure the Victorian government here would play Larry Dooley with any such proposal by the federal government and would make great play of that. I do not think the federal government would attempt to try to do that.

The house should look at the proposed Murray–Darling Basin reform: the federal government is not trying to override the state's powers; it is seeking some consensus and agreement.

Mr Pakula — Not yet.

Mr HALL — 'Not yet', Mr Pakula says. I do not think the intention has ever been to override the state's constitutional powers in this; it is seeking agreement. For anything related to a nuclear activity I think any commonwealth government — whether it be a Labor,

Liberal, National or coalition government — would be stupid to try to find a constitutional power to override a state law, such as that in respect of the matter as it stands at the moment. As I said, what makes these provisions even more futile is the fact that they are not binding on any federal government anyway.

My advice from the people who briefed me on this is that there is also commonwealth law that would have to be amended for any nuclear activity in Victoria to be undertaken. Before any nuclear activity could ever take place in Victoria, first of all the commonwealth would have to change its own law, and it would have to find a constitutional reason to override the constitutional power of the state in respect to this matter. So it simply will not happen without great controversy in the community — controversy which, I might add, would have far more impact than any non-binding plebiscite provision, as is proposed by this bill. I think this whole piece of legislation is an absolute nonsense and does not achieve any worthwhile purpose at all.

Further to my claim that this is nonsense, some of the provisions of this amending bill talk about the details of establishing a plebiscite. The Victorian minister is the person who solely frames the question to be posed to the Victorian public at any such plebiscite. The minister for energy and resources of the day can frame the question in any way he or she chooses. You and I, Acting President, know that you can ask a question in a whole number of different ways if you want different outcomes, and no organisation, body or Parliament has any overriding powers over how the minister wants to ask the question.

Indeed, the Victorian minister also determines the arguments that will be put to the Victorian people, listing all the reasons in favour of or against any plebiscite question. In its provisions the bill says that the Victorian minister must confer with the federal minister, but it clearly says that the Victorian minister has the final say on the presentation of arguments for and against a question within a plebiscite. You can slant your arguments and questions any way you like to construe an outcome that you are trying to achieve. I think the way in which the plebiscite is proposed to be constructed has no balance, has no partisanship and makes the whole bill a nonsense.

Beyond all of that, I ask the house to consider: why is this government proposing to hold a plebiscite just on nuclear activities when there are a great many other worthwhile subjects, which, if you were of a mind to hold plebiscites in Victoria, you might challenge and ask a plebiscite question about?

Foremost in my mind is the issue of therapeutic cloning, which is currently before the Parliament of Victoria. All members will be given a conscience vote on that legislation, but why are the people of Victoria not being given a conscience vote? Why can that subject not become the subject of a referendum here in Victoria? I thought that would have been a far more appropriate subject because it is a matter that is here and now, and something that is actually being dealt with.

Having a nuclear activity plant in Victoria is all hypothetical. It is the if factor: the word used in the second-reading speech is 'if' in relation to the federal government having a mind to. Therapeutic cloning is an example of an activity that is now proposed to be undertaken in Victoria. I would have thought that would be a more appropriate subject for a plebiscite than the one proposed in this bill.

I toyed with the idea, when I first saw this legislation, of moving a reasoned amendment because if we are talking about power generation, I know there are a large number of people in certain parts of my electorate and other parts of Victoria who have strong views on, for example, wind energy as opposed to nuclear energy, which we are talking about with this bill.

If it is good enough to ask the people of Victoria a question about whether they want nuclear energy produced in Victoria, equally why not ask people in, say, South Gippsland whether they want wind energy produced in the area where they live? Why could that not apply to a whole number of subjects right around Victoria? What about the Murray–Darling Basin reform? Why do we not have a plebiscite of the people of Victoria on whether they think the federal government's idea about a Murray–Darling Basin reform is or is not a good one?

The point I am trying to make is that if you are of a mind to introduce plebiscites into Victoria on certain activities, why limit that to nuclear activities when there are far more pertinent, relevant and topical questions on subjects which could equally be asked. I am not advocating that we move in that direction, but I am saying that if we were honest and open about this, and if we did not have the political agenda behind this amending bill before us today, we would be far more broad minded and willing to look at a much broader range of subjects on which we could hold a plebiscite.

I want to comment about some amendments that I understand are proposed to be moved by the Greens. I pay credit to and thank the Greens for sharing those amendments with me before seeking to introduce them

into Parliament. I will not explain the amendments — that is the prerogative of those who will move them — but will indicate that The Nationals will not be supporting those amendments, despite the fact that we can understand the sentiment behind them and the intent of the Greens party to try to at least make this bodgie process a better process.

I say, ‘Well done for trying to do that’, but we do not want to be any part of this ridiculous, stupid, politically motivated legislation which serves no worthwhile purpose. We do not want to be tainted in future as having tried to make better what is a discredited process which has no worthwhile purpose. It is a stunt, it is purely part of the Labor Party’s political agenda in a federal election year, and it should be resisted with the strongest powers available to every one of us in this chamber. From The Nationals point of view, we will resist it as strongly as we possibly can.

Mr BARBER (Northern Metropolitan) — I will start with a quote from the 1982 debate on the original legislation. It is from a second-reading speech, apparently when a Mr D. White was the minister for energy. The speech states::

Reactors have been proved to be very expensive, difficult to locate in the face of public opposition, and there is the unresolved matter of waste disposal and attendant problems. In addition, there is the problem that the growth in the number of reactors has increased the risk of nuclear weapons proliferation through the wider spread of nuclear technology and the risk of nuclear materials being diverted for weapons purposes.

I put it to the house that the ALP no longer seriously holds those concerns, which go to the core of the Greens concerns about moving further down the nuclear cycle. It has abandoned any pretence of seriously carrying those concerns.

I would like to know — I have been trying to find out, but I have not managed to — how many ALP members of this chamber will be delegates at the ALP national conference in 10 days time. If I knew that, I would love to know what their positions would be on the ALP’s no-new-mines policy. I know for a fact that the Premier has an automatic right as a delegate, so he will be there. I would put it to the Premier and Labor members of this chamber that the really important vote is not the one we are having here tonight; the important vote is the one they will have in 10 days time up in Darling Harbour.

Let us start by taking out this phoney argument, this phoney war, over nuclear power between Labor and Liberal. Even Senator Nick Minchin said it made no sense for his party to associate itself with a cause so politically unpopular when there is no prospect of a

commercially and politically viable domestic nuclear power industry in our lifetime. He belled the cat. It makes no sense as an argument, but it is being pursued for political purposes, and the Labor Party has jumped on the bandwagon for those political purposes.

It is called a bait and switch. Are members familiar with that scam? It says, ‘Come out to our mattress shop out in the suburbs somewhere. We have these fantastic mattresses on sale for \$20 each’. Once you get out there they say, ‘Sorry! We ran out. Would like to buy this other mattress?’, which costs a hell of a lot more. Labor jumping up and down about nuclear power is the classic example of a bait and switch. If members believe that nuclear power is viable, then show me the money. Private investors have flatly rejected nuclear power then enthusiastically bought its main supply-side competitors: decentralised cogeneration — that is, combined heat and power — and of course renewables. So worldwide by the end of 2004 these alternatives had more installed capacity, had produced almost as much electricity and were growing six times faster and were accelerating while nuclear was fading.

The International Energy Agency, which I am here to tell you is hardly a hotbed of radicalism, in 2003 forecast that by 2010 wind power could add nine times as much capacity as nuclear added in 2004, and it would be 84 times nuclear’s planned 2010 addition. Again, these sorts of numbers and scenarios come from the International Energy Agency and the International Atomic Energy Agency, the job of which it is to promote nuclear power.

I have prepared a chart which shows net new electrical capacity added. It shows that in terms of new additions, nuclear is just bouncing along the floor at practically zero and that wind and decentralised cogeneration — which I mentioned earlier — have been going up and continue to go up like rockets. I am sure that anybody who in a past life was involved with the Electrical Trades Union would certainly support that, because it means a lot more jobs than one nasty nuclear power plant.

Honourable members interjecting.

Mr BARBER — If anyone here wants to challenge my view that nuclear is a dud and unable to survive without government featherbedding, they had better show us the money — private money. I am not talking about China and Russia and those last vestiges of central planning. I am saying that the nuclear industry is suffering a severe case of market forces — and it is losing. My chart shows that we are on track with wind power, together with photovoltaic, to surpass the

installed global nuclear capacity around about the beginning of the next decade. In fact the market increasingly resembles a 1995 Shell company scenario that showed half of global energy and virtually all the growth coming from renewables by mid-century, which is about what it would take with some conservative assumptions of how we can achieve energy efficiency gains. It is about what it would take to stabilise atmospheric carbon, which we now know we need to do.

I also have a few more statistics. Worldwide reactor numbers grew to 423 by 1989 and have risen since then by just 17. To offset all the planned retirements of nuclear reactors — that is, the ones we already know about — 73 new ones would have to be built by 2015 in addition to those which have already had the go-ahead, the ones we know about. If that does not happen the alternative is for the industry to go into rapid decline. In fact if China built 30 new reactors, which is ambitious, it would just cover off about 10 per cent of the number of nuclear plants that get to celebrate their 40th birthday, which is old for a nuclear reactor. Of course once those nuclear plants get to that age they are very likely to be removed.

The average age of nuclear reactors in the United States of America is 21 years, which was the age of the nuclear reactor that was shut down in that country. In the USA, despite 50 years and \$800 billion of subsidy, nuclear is hugely expensive, absolutely uninsurable and provides a smaller part of that country's energy needs than burning wood. Some technology! But federal Labor's sometime nuclear spokesperson, Mr Ferguson, does not get it; he does not get those simple facts.

In an article entitled 'Green light for Howard to go nuclear' in the *Australian* of 4 November 2006, Mr Ferguson is quoted as saying:

... nuclear is an important part of the energy security and climate change debate for Europe, Asia and North America'.

'That is why Australian uranium is now so sought after ... Australia is energy rich. We are the envy of the world', he said.

For the life of me I do not know whether he is in on the joke or whether they just fax him his lines on a Monday morning.

As I said earlier, the vote on this bill is not particularly significant, but the position taken by the Premier, Mr Bracks, at the Australian Labor Party national conference in 10 days time — and by Mr Pakula, if he is a delegate; and by Mr Theophanous, if he is a delegate; and by anyone else here who is a delegate — will be highly significant. If Labor abandons the

no-new-mines policy it will complete the broad consensus between Liberal and Labor on the uranium industry. It will complete the liberalisation of ALP nuclear policy, take out this one issue of nuclear power plants, which as I have just said —

Honourable members interjecting.

Mr BARBER — I will back up that statement. Let us look at the problems with exporting uranium to other countries. Firstly, there is proliferation. There is the Victorian opposition's policy, the federal Liberal government's policy and whatever I can piece together of Martin Ferguson's or the ALP's policy on whom we can sell uranium to. Labor's policy is that buyers will be required to be signatories to the nuclear non-proliferation treaty (NPT).

Honourable members interjecting.

Mr BARBER — I am so glad I have my own little audience of backbenchers here on the government side. I was terrified there would be nobody in the chamber when I made these remarks, but I am getting instant feedback from over there.

In order to buy uranium from a Kevin Rudd government you will need to be a signatory to the nuclear non-proliferation treaty. You are not required to be a signatory to the *Comprehensive Nuclear Test-Ban Treaty*, nor are you required to be a signatory to the fissile material cut-off treaty, and that is an important treaty because it is about stopping the spread of weapons-grade material. That is quite important, because if you make a bunch of plutonium it has a use-by date of about 250 000 years, so we will be dealing with that problem for a long time.

There have been no suggestions that I have been able to find — and I am sure if Mr Pakula or anybody else had been doing their homework on this issue in anticipation of their vote as a delegate they may have been able to find it and can correct me — from the ALP on how the bilateral agreements with customers would be improved. At the moment you have to be a signatory to the NPT and you need a bilateral agreement with Australia to buy our uranium. I therefore assume they have none.

A transcript of the *Sunday* program of 18 June last year quotes Mr Ferguson as saying:

Firstly we've been able to sell uranium to Russia for years.

Very comforting! He also said:

This means selling uranium to China at the moment, but not Pakistan, Israel or India.

It is very comforting that a federal Labor government would not sell uranium to India. However, in liberalising its uranium policy the ALP is willing to make some fairly big bets on the political stability of China, Russia and a number of other countries over the next 40 years.

Let us just compare that with what has happened in the last 40 years in those countries and see if they look like good bets. Let us talk about the NPT. It came around in the 1960s as a kind of historic deal that said that everybody who had nuclear weapons had to make honest efforts to get rid of them and that everybody who did not have them would forswear getting them. What has been happening is that that deal and that consensus has been breaking down, because the USA and Russia have not made significant efforts to go to zero nuclear weapons. In fact they are developing new generations of nuclear weapons. Of course many small countries have started to get nuclear weapons or are moving themselves to be in a position to have them as a kind of strategic equaliser. If you are a small country and you think the USA might invade you, then in those circumstances you may think about getting a nuclear weapon, simply because it would cause the USA or another country to have pause before invading your country.

Members might remember that the result of the debate in the US Congress on Gulf War Mark I — the one that former Prime Minister Hawke supported — was a very close vote. One of its concerns was that Saddam Hussein may at that time have had nuclear weapons and nuclear, bacteriological and chemical weapons; it was a close-run thing that the Congress at that time gave George Bush, Snr, the power to declare war on Iraq.

But it is worse. The nuclear non-proliferation treaty actually enshrines the inalienable right of all member states to all civil nuclear technologies, including dual-use technologies with both peaceful and military applications. In other words the NPT enshrines the right to develop a nuclear weapons threshold or break-out capability — even for NPT signatories. As far as the ability to monitor this treaty and the possession of nuclear materials outside it is concerned, Dr Mohamed El Baradei, director of the International Atomic Energy Agency, describes the IAEA's basic safeguards inspection rights as fairly limited, noting that the system is subject to vulnerabilities and complaining that efforts to improve the system had been half-hearted, and that the safeguards system operates on a shoestring budget comparable to a local police department.

That is what is between us and nuclear break-out and nuclear proliferation using Australian uranium sold to

them by a Howard or Rudd government. An SBS-commissioned Newpoll of 1200 Australians last September found that 53 per cent opposed uranium exports to China — so maybe we should have a plebiscite on that — with just 31 per cent in favour. Nevertheless, on 17 January the federal government began negotiating a bilateral uranium export agreement with a Chinese delegation in Canberra, and negotiations are continuing.

I will now talk about waste. In a speech at a uranium conference on 11 October 2005 Martin Ferguson said:

We do not even have a solution for the safe disposal of low and intermediate-level nuclear waste generated in our own country, let alone a clear view of the solution for high-level nuclear waste generated around the globe from nuclear power operations.

On 20 March 2006 Mr Ferguson released a discussion paper that said:

Australia has the opportunity to lead the world as a responsible supplier of uranium for peaceful purposes ...

He said this could be done by, among other things:

... stewarding uranium from cradle to grave.

It is hard to know what he meant by that except for our taking it back after they have finished with it — in other words, Australia becoming a nuclear dump to the world.

If Ms Pulford is a delegate to the ALP national conference, she could ask Mr Ferguson what he meant by that. Uranium exports in 2005 accounted for less than one-third of 1 per cent of Victoria's total export revenue, and even with the proposed tripling of uranium production at Roxby Downs it will still fall well short of 1 per cent of total export revenue. It will be a short-term benefit because high-grade reserves of uranium will not last long before we start moving in to lower grade reserves.

In conclusion, the argument about nuclear power, which is the purpose of this bill and of the plebiscite, is a safe space for the Labor and Liberal parties. It helps them mask their real agenda, the one that would really do some damage out there in the electorate in the run-up to a federal election. The best they have been able to come up with is the drug dealer's defence of saying, 'If someone doesn't get it from me, they will get it from someone else. And you know, maybe I can even help them. I keep an eye on my drug buyers. I help them out when they need it'. Liberal and Labor policies mean our children will deal with the problem of proliferation, and our grandchildren and their grandchildren will deal with the waste.

In relation to the bill, the Greens propose to move some amendments. Also, we had another proposal for an amendment but our advice was that it would not be in order. What we were going to propose as an amendment was that if the state government very sincerely supports the 1983 act that basically makes illegal everything nuclear in Victoria, then the government should entrench it in the Victorian constitution in the same way it did with the issue of selling the water retailers and distributors. That was a reasonably big issue for the government at the time it was elected, and it said, 'We are going to entrench this in the constitution so that you can never sell the water businesses'.

Now it has a few outs: they made sure that the Snowy Hydro scheme was not part of that; it is a business they think they can sell at any time. They also allowed for public-private partnerships so that effectively they could sell off a whole bunch of parts of the water system. As long as there is some company that the government owns that is called a water business, everything else underneath that that supplies water could be sold off bit by bit.

Unfortunately I will not get to move what would have been my amendment, but someone suggested it would be the subject of a good private members bill, aimed at entrenching Victoria's nuclear-free status in our constitution and then entrenching that provision so that the only way it can be changed is by a referendum of the people — not an indicative one but a real one. That is the only way to change that. My advice from the clerks is I cannot do it this time; I could not move it as an amendment.

I propose to move two amendments. I will foreshadow them briefly, without debating them too much; I gather that procedure is permissible. I circulated them to the party leaders and am happy for them to be circulated in advance of the committee stage of the bill. One is that the question that goes out for a plebiscite to the people of Victoria is a question written not by the minister but a question that has to have been approved by both houses of Parliament.

Once it is in place, this piece of legislation will be on the statutes indefinitely. It could be 10 years down the track or it could be 20 years down the track before it is triggered. The minister at that stage may be a Liberal minister who may put out a question to the people at large like, 'Do you want clean, green electricity for your children's future?'. You can well imagine what sort of response that might get. Or 20 years or possibly even 10 years from now the energy minister in Victoria could be from the Greens. I do not think it will be me,

but someone from the Greens could be an energy minister in a coalition government. She may very well put out a question that says, 'Do you want to live next door to a nuclear death furnace?'. I can well imagine that that would result in about 99 per cent voting no.

Mr Leane interjected.

Mr BARBER — There would be lot of jobs for the Electrical Trades Union under a Greens-Labor coalition government in Victoria, because we would be rapidly moving our economy away from these dirty industries and towards a post-carbon economy.

To further foreshadow my amendments, President, the second one relates to proposed section 12(2) in clause 3. Proposed section 12(2)(a) says that if the federal government has taken or is likely to take steps to make or amend a commonwealth law or to exercise any power under a commonwealth law — for example, if the federal environment minister, Peter Garrett, has to approve a nuclear action under the Environment Protection and Biodiversity Conservation Act, which would be an exquisite irony — then that would be triggered; if it happened in Victoria, it would trigger a plebiscite.

Greens amendments circulated by Mr BARBER (Northern Metropolitan) pursuant to standing orders.

Mr BARBER — If my amendment is passed and proposed section 12(2)(a), the subject of the amendment, remains in the bill, as the Greens hope it does, then any action or amendment of any commonwealth law will trigger the plebiscite. However, proposed section 12(2)(b), which states:

adopts a policy position of supporting or allowing the construction of a prohibited nuclear facility in Victoria.

is too broad and unclear. I hope the ALP or the government at the federal level will be involved in many interesting debates; the new environment minister, Mr Garrett, and who will be the new opposition leader, Mr Turnbull, will debate this question. If the government actually adopted a policy position, as the ALP may next week, of supporting or allowing the construction of a prohibited nuclear facility, then I think that might trigger the plebiscite. I do not think that is the intention of this bill.

Those are my two foreshadowed amendments, and I am happy to discuss them further in the committee stage of the bill.

Ms PULFORD (Western Victoria) — I rise to support this bill, which will provide for the holding of a plebiscite of Victorian voters if the commonwealth government takes action in order to allow the construction of a prohibited nuclear facility in this state. The explanatory memorandum for new section 13 defines a prohibited nuclear facility as:

- a mill for production of uranium or thorium ore concentrates;
- a facility for conversion or enrichment of any nuclear material;
- a facility for fabrication of fuels for use in nuclear reactors;
- a nuclear reactor or nuclear power reactor;
- a facility for reprocessing spent fuel;
- a facility for storage or disposal of any nuclear materials, including any waste, from any of the above processes or facilities.

The bill also outlines in the explanatory memorandum in relation to new section 12 the triggers required to enable a plebiscite to occur, namely:

- making or amending a law of the commonwealth;
- exercising a power under a law of the commonwealth;
- adopting a supportive or permissive policy position.

Victoria has a long history of opposition to the establishment of a nuclear energy industry in this state. Current Victorian laws reflect this, as does this amendment. Polls consistently show opposition over a long period of time. This is particularly so of people's view of nuclear facilities in their neighbourhood. According to a Newspoll survey last month, 66 per cent of people said they would be opposed to a nuclear facility in their local area.

The problems associated with dealing with nuclear waste are significant. The risk in pursuing this type of energy source is fraught with dangers not only for us but for future generations, with potential environmental impacts hundreds of years into the future. In response to Mr Hall's question, 'Why have a plebiscite on this issue?', I think this matter is a little different from many others that we considered for the reason that waste by-products of nuclear processing would have such a long-running impact on the environment.

In a Morgan poll last month, 82 per cent of people surveyed in Victoria and New South Wales said they were concerned about how nuclear waste would be stored. Mr Vogels talked about a plebiscite and a debate on these issues, as though they were mutually exclusive. I am sure a plebiscite on these kinds of matters would never occur in the absence of a debate.

He certainly quoted some research about what people thought about nuclear energy. Of course the million-dollar question is: if there was to be nuclear processing, where would it occur? In Melbourne, 89 per cent of people were concerned about how nuclear waste would be stored. It has to be stored somewhere. This would be a remarkable legacy to leave for future generations.

We on this side of the house do not believe there is any safe way of having a nuclear power plant in Victoria, but the federal government is committed to nuclear energy. It is determined to proceed, although it has gone a bit quiet on it. I can only imagine it is because of the federal election that will be held later this year.

It was the Prime Minister who commissioned the report *Uranium Mining, Processing and Nuclear Energy — Opportunities for Australia?*. The Switkowski report suggested that Australia's electricity demand would double by 2050 and up to 25 nuclear reactors could be used to meet this demand.

The report identifies some possible locations, including South Gippsland, Western Port, Port Phillip and Portland, in my electorate in western Victoria. The reasons that these locations were identified were for availability of seawater, closeness to sources of electricity supply and demand, suitability of infrastructure, and location away from major population areas. This notion of a suitable shortlist for possible nuclear facilities, including their being away from major population areas, makes me wonder what exactly the difference is between the impact on a significant population centre and the impact on a small population centre.

I would have thought the risk to the people in Portland would be much the same as the risk to people in Melbourne, or in Sydney where the Prime Minister lives, or in China — or anywhere for that matter. People living close to these identified potential sites will have their rights protected by this bill and the plebiscite that it will enable. As Mr Barber pointed out in citing the comments of Senator Minchin, there is no commercially proven Australian company that can enrich uranium, so there is some doubt about Australia's ability to convert, enrich and fuel fabricate uranium. This is an issue because the worldwide conversion market is highly concentrated and very difficult to break into, with only four companies worldwide supplying 80 per cent of the world's uranium conversion services.

Nuclear energy is likely to be between 20 and 50 per cent more expensive to produce power from than a new

coal-fired plant. The economics simply do not stack up. The vast amount of money required by a federal government to subsidise nuclear energy would be better invested in renewable energies and clean coal technologies to provide for our future energy needs.

Another supposed justification for the federal government's excitement about nuclear energy is its enthusiasm for cleaner energy, and that is just a furphy.

On the topic of energy use, the state government has been working hard to assist industry and individuals to better use our energy resources. Supporting diverse sources of energy — clean coal and renewable energies — is a much better way forward and provides for a much better future for Victoria. Clean coal technologies can be a source for meeting our energy demands. We need to continue to invest in the coal industry to make it cleaner and to reduce emissions.

In addition to reducing our energy needs we are supporting renewable energy industries like wind power. In fact just last week the Minister for Planning in this place approved a 64-turbine wind farm at Mount Mercer in my electorate. This will provide 160 megawatts — enough energy to power 73 000 homes. It will provide 120 jobs during the construction phase and then 12 permanent ongoing jobs.

Given the employment and environmental benefits in other sources of energy, I am confident that on balance the people of Portland would prefer a few more wind-power turbines to a nuclear power plant in their town.

What we need to do in this state is to develop clean energy and also assist energy users to use energy wisely and not just create a new set of problems. Only yesterday the Premier announced the trial of 50 smart meters for Melbourne households. The trial having been completed, from next year they will be rolled out across the state. This is but one more measure to assist Victorians to reduce energy use.

The government has also introduced renewable energy targets in Victoria, committing energy retailers to sourcing 10 per cent of their power from renewable sources by 2016. It is estimated that this initiative will cut 27 million tonnes of greenhouse gas emissions.

We on this side of the house are committed to addressing our energy supply issues in a responsible and environmentally sustainable way. We are committed to not using nuclear energy, with its long-term waste, its issues of security of storage, its high water use at a time when we are working hard to

conserve water use in industry and in homes, and its high costs. We on this side of the house oppose nuclear power, and we hope that with this bill that sentiment can be extended to provide the people of Victoria with a plebiscite to express their views. That is why we are introducing this bill. The proposed change is fundamentally about democracy and about providing an opportunity to Victorians to have a say on this important issue. The government does not believe plebiscites ought to be used willy-nilly, but the interaction of nuclear power in Victoria is a significant issue.

The Prime Minister has suggested a robust debate, and a plebiscite is the perfect opportunity to have that robust debate. Victorians need to have autonomy over this important issue. Victorians are capable of deciding for themselves if they want a nuclear facility in their backyard.

That brings me to the amendments proposed by the Greens. We welcome the Greens to their first taste of voting with the Labor Party members in the house, but I am dismayed by their attempts to water down this bill. Given Mr Barber's passionate arguments about the risks and dangers associated with nuclear energy, it just seems a little idiosyncratic that he would then introduce amendments that will water down this measure.

Mr Barber's first amendment proposes removing a change to government policy as a trigger, so that if this bill were amended a plebiscite could only be triggered after a change of federal government legislation. This is a little bit like shutting the gate after the horse has bolted.

The second amendment proposes removing the minister's capacity to action the plebiscite and requires the wording to be resolved by both houses of Parliament. I am a bit new to this place, but one thing I have noticed is that it does take some weeks for matters to be resolved in both houses. I think these amendments will institutionalise a delay. The Liberals, I believe, are planning to support these amendments. They know they will have a significant impact on the capacity of this bill to function as the government intends. It is interesting to see the Greens facilitating John Howard's nuclear power agenda, particularly given the comments of the previous speaker.

We oppose these amendments. We are antinuclear, and we have a mandate on this matter. This was a policy that was discussed during the state election, and I believe the Victorian people have expressed their view on it.

To conclude, the only reason the federal Liberal Party, supported by its Victorian counterparts, has suddenly fired up about nuclear energy after 11 years in government is that it has had to evolve its position on climate change. Until very recently the federal Liberal Party members were a bunch of climate-change deniers, and this — even for them — has become an unsustainable position. Their elaborate plan to embrace clean energy and move the debate along has led them to the supposed Holy Grail of nuclear energy, but there is just no safe and environmentally appropriate way to use it.

We say, ‘In Victoria, not without a vote by the people first!’. We also say the legislation ought not be watered down by amendments proposed by the Greens and the institutionalisation of a delay that could lead to a scenario in which a federal government change in legislation could occur, negotiations could ensue, contracts could be signed and a provider could commence the process of constructing its nuclear facility, all while we are still arguing over a word here or there on the specific detail of what the plebiscite would say. I commend this bill unamended to the house.

Mr FINN (Western Metropolitan) — I must say when I first heard of the advent of this particular bill I greeted it with a very big sigh. It was, I thought to myself, another case of another stunt from a government that is very good at stunts. This will be an expensive stunt, but it is a stunt nonetheless. The government is very good at it. I thought to myself, ‘What sort of shonky con is this from a government that has turned shonky cons into an art form? What is it trying to pull on us now?’. This surely is more spin and more public relations from a government that specialises in spin and public relations.

That was even more apparent when the bill was introduced and I heard the second-reading speech so eloquently read by Mr Theophanous, as only he can do. I will quote two paragraphs from the second-reading speech which added to my cynicism, should I say, toward this legislation. The speech reads:

This bill provides for the holding of a plebiscite of Victorian voters if the commonwealth government takes action to support or allow construction of a nuclear facility in this state.

Such facilities are banned in Victoria under the Nuclear Activities (Prohibitions) Act 1983 which became law under a Labor state government. The bill will amend that act to ensure the voice of all Victorians will be heard if the commonwealth tries to ignore this state’s nuclear-free laws.

I am not a constitutional lawyer, but I have to say that this legislation is nonsense. It is unnecessary. The

second-reading speech is very clear: such facilities are banned in Victoria. The deal is done; the gig is up. Why do we need this legislation? We clearly do not need this legislation. This Parliament does not need the legislation; the people of Victoria do not need it. I will tell the house who does need the legislation: the Victorian Labor Party needs it, and perhaps even Kevin Rudd needs the legislation as well.

After sighing a good deal and having unkind thoughts about the government, I had another think and thought much more deeply about it. I came to the view that this really should be called the Nuclear Activities Prohibitions Amendment Plebiscite (Machiavelli) Bill because it has Machiavelli’s imprint all over it. This bill — listen to this because this will set you free — has two purposes. Sadly neither of them have anything to do with the obvious intent of the bill — nothing to do with it at all.

I invite my Greens friends over there to listen to this very carefully because this affects their hip pocket, as it were: the first reason that this bill has been put forward is to consolidate the ALP’s base. We all know that the ALP is a bit shaky in certain areas of Melbourne. We remember that before the last state election the tall bald chap that used to sing and used to be a greenie as well apparently, was brought down to save Bronwyn Pike, the member for Melbourne in the other place, from the Greens. The Labor Party must be ruing that one. They must be kicking themselves now. They should have just said, ‘Righto, Greens, have it! Please, please take it from us’. That is what the first item on the agenda is all about: consolidating the ALP’s vote.

What the Labor Party is trying to do here is to outgreen the Greens. I think Mr Barber has effectively knocked that on the head this afternoon for those of us who heard him. However, there are millions of people out there in Victoria who will be voting in an election this year and in a few years time who will not hear him and who will not have the opportunity to hear his words of wisdom.

Mr Guy interjected.

Mr FINN — You never know — exactly! Mr Guy is spot on the money yet again. What the ALP is doing here is chasing the Brunswick Street vote; that is clear. This has got nothing to do with nuclear energy; it has got nothing to do with nuclear power; it has nothing to do with nuclear power plants. This is about keeping on board those Labor voters who might be thinking about going to the Greens. That is what it is all about. That is clearly something that concerns the Premier and

concerns the government, and they have made that concern very clear over a fairly lengthy period of time.

The second purpose of this bill involves an event which will be occurring later this year — the federal election, which will take place in October or maybe November. I am not intimate with the date just yet, but I am assuming it will be around about that time. Whenever it is, we can be guaranteed it is just a matter of months away.

I refer to clause 3, which inserts proposed part III into the act. Proposed section 12 states:

- (1) This Part applies if the Minister —

and I emphasise this —

is satisfied that the Commonwealth Government has taken, or is likely to take, any step supporting or allowing the construction of a prohibited nuclear facility in Victoria.

- (2) Without limiting subsection (1) —

and of course you would not want to do that —

the Minister may be satisfied for the purpose of that subsection if the Minister is satisfied that the Commonwealth Government —

- (a) has taken, or is likely to take, steps to make or amend a Commonwealth law or to exercise any power under a Commonwealth law to facilitate the construction of a prohibited nuclear facility in Victoria; or
- (b) adopts a policy position of supporting or allowing the construction of a prohibited nuclear facility in Victoria.

This bill clearly states that a plebiscite can be held not on the basis of what the federal government may or may not do or will or will not do. A plebiscite may be held on the basis of what the minister thinks the federal government might do. If I may, President, have a loan of your crystal ball and look into the months ahead, I can see as the election — —

The PRESIDENT — Order! Mr Finn did not have to ask me the question. The answer is no, he cannot.

Mr FINN — I will have to reach for my own crystal ball. I can understand why you would jealously guard your own.

I will look into the time ahead as the federal election is drawing closer. We will see the minister responsible for this legislation and any plebiscite, the Honourable Peter Batchelor who is the Minister for Energy and Resources in the other place — and I have to say it has been a while since I have accused him of being

responsible for anything — reaching into his bag of tricks. He will be saying to himself, ‘How can we get some votes for Kevin Rudd? How can we get the third Labor senator across the line in Victoria? How can we here in Victoria help to get Kevin Rudd into the Lodge?’. At that point he will open his drawer and produce the plebiscite papers, which, I would suggest, have already been drawn up. Those papers are all waiting and labelled ‘Attention: The Minister’. This is part of a deliberate strategy by the Victorian government, and paid for by Victorian taxpayers, to get Kevin Rudd across the line. This is without doubt a political con trick. To accept it, we just have to see who is behind it.

This issue leads me to my next point, which is an extremely important one. If we are to have a plebiscite, we, as legislators, and the people of Victoria must have confidence that the plebiscite will be carried out with integrity in a way that we would normally expect a vote by the people to be carried out. But the minister who will oversee the plebiscite has — and how can I put this kindly? — a history.

I refer to an article in the *Sun* of 28 September 1985 entitled ‘Bogus poll card: search continues’. There was an article in the *Sunday Observer* of 6 October 1985 entitled ‘Nunagate — Police, Labor Party confrontation over by-election vote cards’. An article in the *Sun* of 27 September 1985 was entitled ‘Labor linked to poll fraud’. It was an exclusive article by John Silvester, who has taken a backward step and now writes for the *Age*. That is probably something he cannot help.

The minister who will be responsible for a plebiscite was, back in those days, the state secretary of the Australian Labor Party in Victoria. From all reports he was heavily involved in any number of things. This is very important — —

The PRESIDENT — Order! Whilst at the moment Mr Finn has not said anything that I am concerned enough about to do something about, I advise him that he is on the thin edge of that lake.

Mr FINN — I am aware that you, President, and some others may have some concerns in that direction, but I think this matter is important. If we are going to have a vote on this issue at some stage this year, we have to evaluate the integrity of that vote. In order to do that, we have to evaluate the integrity of the minister who will be overseeing it. We have to have a close look at his history with regard to electoral matters in this state. I directly refer to the last time of which I am aware that he was involved in an election or an electoral matter to that extent in the state of Victoria.

I refer to an article in the *Herald* — another newspaper which has since gone to God — of 19 August 1985, where the then state secretary of the ALP is quoted. The article says:

Mr Batchelor said today the rumour that the dummy ticket was being distributed by the Labor Party had been put around by the Liberal Party on Saturday afternoon.

'It had nothing to do with us', he said.

Mr Guy — It wasn't a rumour.

Mr FINN — No! The article then says:

Mr Batchelor said that the ALP's inquiries —

and this is even better and members will love it —

had revealed the ticket may have been the work of students from Monash University.

In the space of two paragraphs — —

Mr Viney — On a point of order, President, Mr Finn's historical speech is very interesting and jocular, but I hardly think it is relevant to the particular legislation before the house. I ask you, President, to bring him back to the bill.

The PRESIDENT — Order! I disagree with Mr Viney. I think the member has explained clearly and succinctly the relevance of his particular line of attack at the moment. While I have already given him a word of advice as to how far he might go, I do not think he has transgressed that point at the moment. He is developing his argument. Whilst some of us might be concerned about his contribution, other members are a little entertained by it. The fact is that his contribution is still on song.

Mr FINN — I thank you for your wisdom in that regard, President. Of course I am probably assuming something — that is, that everybody knows exactly what I am talking about. I should not do that, because there are a number of faces around the chamber that perhaps are a little younger than mine. I will just very briefly go back and give a little bit of history. There was a re-election in Nunawading following, I think, the 1985 election. In this chamber there was a draw; the parties were level egging. In Nunawading the election itself was level pegging and eventually had to go to a re-election to be decided. During the course of that re-election, in fact on re-election day, when I was giving out cards at the Nunawading Primary School, I saw the state secretary of the ALP at that time — —

An honourable member — Scary.

Mr FINN — It was scary, my very word. It was very unpleasant first thing in the morning, I can tell you. What happened was that the Nuclear Disarmament Party, which I think would be a forerunner of what we now know as the Greens — —

Ms Pennicuik — Peter Garrett was in it.

Mr FINN — Peter Garrett was in it, my word he was. He was almost elected to the Senate for New South Wales as I recall. The Nuclear Disarmament Party was running in the Nunawading re-election but was not actually directing preferences, and its how-to-vote card clearly stated that it was not directing preferences. However, someone had decided that perhaps it should direct preferences and had caused to have printed about 100 000 brochures or how-to-vote cards — call them what you will — which directed the Nuclear Disarmament Party preferences to the Labor candidate. As members can imagine, that caused some consternation at the time and accusations by some that those responsible for this deed were less than honourable in their intentions and indeed in their works. This led to a number of questions being directed towards a number of people, one of whom was the then state secretary of the Victorian branch of the ALP.

Mr Drum — Who was that?

Mr FINN — That was Peter Batchelor, the minister who would be responsible for any plebiscite on the nuclear issue in this state. As you can see, President, there is a very clear link — and relevance is uppermost in my mind.

Mr Viney — On a point of order, President, I understand your previous ruling, but Mr Finn has just made the assertion that under the act the minister he is smearing here would be responsible for the conduct of the plebiscite. However, proposed section 14A(1) clearly sets out — —

The PRESIDENT — Order! The member is debating the point. What is the member's point of order?

Mr Viney — The point of order is that the link that the member is trying to make that makes this apparently relevant to the bill is actually not correct.

The PRESIDENT — Order! There is no point of order.

Mr FINN — I can understand Mr Viney's sensitivity on such an issue. We have come to where the then state secretary of the ALP was denying all knowledge of anything and was blaming the Liberal

Party, Monash students and I think he probably had a go at the no. 47 bus to Karingal at one stage. We then go to the *Age* of 1 October 1985. We have moved on a bit now. The final paragraph of the article states:

The ALP state secretary, Mr Peter Batchelor, is responsible for all ALP campaign activities. Yesterday he refused to comment on the issue after taking legal advice.

That is part 2 of the advice from the then state secretary of the ALP, the man who would call this plebiscite. I go to a *Sun News Pictorial* article of 4 October 1985, just four days later. Under the headline 'Top ALP man in poll ploy link', it states:

One of the most powerful ALP men in Victoria has been linked with attempts to manipulate voters in the recent Nunawading re-run election.

ALP state secretary, Mr Peter Batchelor, has been identified by witnesses as having passed out fake Nuclear Disarmament Party how-to-vote tickets to volunteers on the morning of the elections.

The next one is an article in the *Age* of 11 October 1985 — this is all happening in the space of a week or two. Under the headline 'Cain backs away from Batchelor', a story by Simon Clarke and Paul Robinson —

The PRESIDENT — Order! I have given the member a fair amount of leeway on this, but I believe he is now straying too far from the bill. It is quite a narrow bill, and the member has concentrated on nothing but one aspect of it. I ask him to come back to the bill more generally.

Mr FINN — I am very happy to do that, President. I have almost finished that part anyway. There is a great story here from the *National Times* newspaper of 20 September 1985. It is amazing the number of newspapers that have bitten the dust since that time. The story outlines the role that the then Labor Party had in that — what would you call it? — fraudulent election activity. I think it is very important that the people of Victoria be aware of the history of the man who will call this plebiscite —

The PRESIDENT — Order! If Mr Finn wants me to sit him down now, I will; if he does not, he can continue on the bill and its relevance. He has got his point across numerous times about the subject matter he has raised. I am sure the member understands what imputations are.

Mr FINN — Yes.

The PRESIDENT — Order! That is where we are at.

Mr FINN — I think at a time when the Victorian government is crying poor and the Premier and Treasurer have taken their acolytes to Canberra with a begging bowl and pleaded for money from the federal government, it is almost criminal in intent for the government to be even considering wasting the outrageous amount of money this plebiscite would cost the Victorian public for what would clearly be an election stunt during a federal election campaign to help an aspirant to the lodge.

I believe this bill is a sham. It would be a joke if it were even mildly funny, which it is not. I am sure the people of Victoria will see through it. The opposition certainly does, and it strongly rejects this bill.

Ms TIERNEY (Western Victoria) — I am pleased to be speaking on the amendments to the Nuclear Activities (Prohibitions) Act. This piece of legislation is vital to maintaining a nuclear-free Victoria. The commonwealth government is continually attempting to ride roughshod over the conventions of Australian federalism and impose its will on the states with scant regard for the people's will and state sovereignty.

This bill will ensure that the people of Victoria will have a voice in the debate if the commonwealth attempts to override or ignore Victoria's nuclear-free laws. These laws have been in place for good reason for nearly a quarter of a century. A plebiscite will allow the people of Victoria to determine if a nuclear-free future is what they want. It will also send a message to the commonwealth that it cannot dictate to the people on such important and dangerous issues. To ignore the plebiscite would not only be anti-democratic but also morally reprehensible. The debate on nuclear generation is now taking place, but there will be repercussions for generations to come.

I intend to speak on the bill on two levels. Initially, as three of the proposed locations for the nuclear reactors are in my electorate of Western Victoria, obviously I will talk about the repercussions and effects of imposing this dangerous technology on the communities of Werribee, Avalon and Portland. These three locations have been highlighted in the Australia Institute's report on the most likely locations for nuclear reactors —

Mr Finn interjected.

Ms TIERNEY — Check your boundaries, Bernie! On another level I intend to outline that the nuclear debate is one where Liberal ideology has trumped common sense. There are a lot of voodoo economics and rubbery statistics going around to try to support the

introduction of nuclear energy into Australia. However, on any analysis, on any basic economic modelling assumptions, it becomes clear that the introduction of a nuclear industry is an exercise in picking winners and pushing particular ideological barrows.

I will use a few examples to demonstrate that the economic case for nuclear power generation is slim at best but is more likely to be non-existent. Once the spin that the commonwealth is using to cloak the facts from the electorate is exposed, its arguments will collapse. Nuclear is an all-the-eggs-in-one-basket strategy that exposes future generations to far too much risk as rubbery figures are replaced with the facts of an operational nuclear industry.

Since the commonwealth's location plan is cloaked in secrecy and it refuses to discuss this crucial element of the debate, we must work on the assumptions of the experts. It raises the questions of what exactly the commonwealth is planning for the people of Victoria. I have already seen letters from concerned residents in local papers in western Victoria asking the federal member for Wannon what his stance is on having a nuclear reactor in our region. To my knowledge he has not replied to one of them. There is total silence from the commonwealth government on this issue. Secrecy is a concern as the location of the reactor is the most basic and important piece of information required for a debate. A nuclear reactor might seem — —

Mr O'Donohue — On a point of order, President, the member is reading her speech word for word. I understand that is not permitted.

The PRESIDENT — Order! Mr O'Donohue is correct, but it is also the practice of the house that leeway is given to members who want to refer to copious notes. However, members should be aware that whilst referring regularly to those copious notes they have to be cognisant of the fact that it is not the practice of the house to read verbatim. On that basis I accept what Mr O'Donohue said when raising his concern, but I also extend some leeway to the member and ask her to be aware of the normal processes of the house.

Ms TIERNEY — I will return to the point I was making. The point is that the people in western Victoria have been told that possibly three nuclear reactors will be located in their electorates, yet the current federal government is refusing to state exactly where it is going to locate those reactors. We know from the Newspoll outcome that Jaala Pulford referred to, that the majority of Victorians do not want a nuclear reactor near their place of residence or location of work. In fact 66 per cent of the population have said that to her.

This is not some sort of nimbyism; it is about common sense; it is about a common-sense reaction to a localised danger. It is about one of the most toxic substances on this earth. It is not an issue that can be treated lightly. In fact we need to make sure that we are very conscious of, alert to and educated about all of the facts, because it is not about you and me, it is about our grandchildren, about their children and future generations.

With community opposition at such high levels it is little wonder that the commonwealth has refused to buy into the location debate. I suspect if it had dared to announce the possible locations at this point in time, there would be a distinct revolt not just in Melbourne but also in regional Victoria. With a federal election looming the commonwealth will stick to its modus operandi of plausible deniability, evasion and dissembling the facts. It is just going to continue that and hope the federal election date rolls around without its having to address this issue.

State opposition members are accomplices in this plan. Only one member spoke in the lower house. The Leader of the Opposition in the other house, Mr Baillieu, was consciously and conspicuously absent. He refused to enter the debate. The member who spoke, the member for Box Hill, called the plebiscite bill 'a political stunt and a waste of time and money'. They were the very words used by Mr Finn only some moments ago.

This is the exact line that the former Leader of the Liberal Party in the other place, Dr Napthine, used in the Warrnambool *Standard* of 16 March. It is not a stunt. The government went to the electorate in November last year. This was part of its election platform, and it won that election. We have a mandate to put this plebiscite to the people, which is one little fact the opposition seems to forget. This is black and white, so they should just get used to it.

Fulfilling a mandate is not a waste of time and money, it is actually called democracy, and opposition members should get their heads around it. If the Liberals think that giving the electorate a voice on an issue that will have ramifications for generations to come is a waste of time and money, it is a very sad day for parliamentary democracy. Is it just the fact that the Liberals do not trust the Victorian public? I am grappling with this. Maybe that is just the case; they do not think Victorians have got enough wherewithal to make a decision for themselves, other people or their families and friends. It is all a bit sad.

The bill puts the Liberals in the awkward position of having to respect the will of the people and at the same time deal with their masters in Canberra, who are preparing to ignore the people. The bill puts trust in the people of Victoria to decide their future. You have to ask: what are the Liberals hiding from? The democratic will of the people is not something to be hidden from; it should be embraced. I urge the opposition to start thinking along those lines and support the bill.

There is all sorts of talk about the new technologies coming on stream to deal with waste that has a half-life of several million years. That is all well and good, but the plain fact of the matter is that the disposal of nuclear waste is still primarily performed by storing it on site. It also raises the issue of just how the commonwealth and the nuclear industry can guarantee that any of their proposed technologies will remain safe for the required three-quarters of a million years. There just seems to be absolute silence from that side of politics about the possible safety or otherwise of what they are proposing.

There is also a time scale associated with it. To get an idea of that time scale we need to remember that in terms of the human habitation of Australia, it has only been about 200 000 years since humankind was well and truly in the Stone Age, agriculture was yet to be discovered and even cave art had not been invented. At that time the Western District was alight with volcanic activity — the entire Western District has been volcanically active for most of the last million years. Even indigenous stories talk about the western area of Victoria being on fire.

The current seismological information rates Portland as a medium earthquake risk. Who in their right mind could possibly think about even proposing in the most rudimentary sense that a reactor should be built around Portland? It does not make sense to make any construct of that argument, and taking into account the fact that Portland has already had several recorded earthquakes during its brief time of white settlement, it is quite an extraordinary proposition indeed. That is atop four fault lines as well — not one, two or three but four — right on Portland. It has been geographically active for the best part of a million years.

I really believe the people in western Victoria will not want to risk the economic certainty that the 6 per cent of jobs supplied by tourism along the western section of the Great Ocean Road delivers. Over 150 000 international visitors arrive every year, over 4 million daytrippers take advantage of an environment of amazing beauty about which we heard earlier today. There are outstanding parks, and it is also the home of at least 56 nationally endangered and threatened species. How can anyone

possibly think about risking a major source of these sorts of natural wonders by contemplating putting a reactor near the Great Ocean Road, near Portland, near Werribee, near Avalon, or indeed Geelong?

Mr Vogels — What about Kyneton? You missed Kyneton.

Ms TIERNEY — That has not actually been proposed by the federal government, but if Mr Vogels wants to suggest to his party that Kyneton be included, I am sure there will be some difficulties with respect to the primary industry people who are working hard in those areas.

In terms of the waste, we are expected to say it is all right to store noxious and toxic materials in an area that has no adequate population buffers — that is in respect of the Werribee and Avalon scenario. Those interface areas are obviously growing and are home to over 270 000 people. It is an area that has also been one of the real success stories of the Bracks government in its revitalising regional Victoria. The Werribee-Avalon area is home to 36 endangered species.

This bill will give people a chance to make clear how they stand. It will give Victorians, and especially Victorians in my electorate, a chance to stand up to the commonwealth government and tell it they will not accept nuclear reactors in western Victoria because they have a real interest and a real stake in maintaining their livelihoods, not just for themselves but for future generations.

It is no wonder that the Liberals will not support the bill. This plebiscite will let the people of Victoria have a say, as the state confronts the challenge of moving into a low-carbon economy. The opposition cannot take the chance of listening to the people because its plan is for a nuclear Victoria and it will be refuted. It just does not meet the basic risk tests on any level. It does not stack up against the more balanced suite of options that the Bracks government is formulating to handle the challenge of a low-carbon future. That is why the Liberals are scared of the democratic will of the Victorian population.

Adopting a nuclear energy approach to reducing greenhouse gas emissions is short sighted. Even the Switkowski report acknowledges that over the life span of the nuclear cycle the greenhouse gas emissions are higher than all but one renewable technology — that is, photovoltaic generation, and the report acknowledges that technological advances are likely to be made which will reduce the figure in that case.

At the quickest it will be another 20 years before the nuclear industry can be established, and I think that was highlighted by Mr Barber. In that time investment money will be likely to be diverted from renewable technologies and nothing will be done about lowering greenhouse gas emissions. Investment in nuclear generation, potentially crowding out investment opportunities for renewable and near-zero emission technology will rob the state of this opportunity. That is a very important point that needs to be directed to the opposition party, because, as I said at the beginning, this is about trying to pick winners and to manipulate a situation where we end up with a restricted number of technologies that will dictate our future and the futures of generations to come.

We are wanting to encourage a diverse array of technologies in Victoria. We are not about picking winners. Imposing nuclear technology is picking winners to the detriment of competing industries.

I just want to draw attention to what is happening in western Victoria in respect of wind farms. The crowding-out-of-investment scenario is likely to affect the economy in western Victoria. Western Victoria is booming with respect to the energy sector. There are two operating wind farms in western Victoria, with six more approved but not yet operational. In summary we have 8, and a further 10 are pending for western Victoria.

The community deserves a response to a federally imposed nuclear industry that will be receiving massive amounts of government support, threatening independent operators and competing businesses in the region —

Mr O'Donohue — On a point of order, President, I do not want to take the point lightly, but the member continues to read verbatim from her notes.

The PRESIDENT — Order! I have been watching the member, and I think she has made a reasonable effort to ensure she is not reading verbatim, word for word. However, given Mr O'Donohue's point of order and the fact that I have already ruled that it is a reasonable one to raise, I will pay closer attention.

Ms TIERNEY — In short, the government believes that having a suite of technologies in respect of energy is a much superior solution to greenhouse gas emissions and the whole issue of climate change. It is not an all-eggs-in-one-basket scenario which the federal government is trying to urge us towards. It will not bequeath to our children and grandchildren a litany of health and safety issues now and into the future. In

short, I urge members of the chamber to vote for the bill. It is a democratic bill which amplifies people's vision and enhances human rights for people in Victoria.

I clearly state that the opposition should not be worried about Victorian people having a vote on an issue that directly affects them on a day-to-day issue or for future generations in this great state.

Debate adjourned on motion of Mr ATKINSON (Eastern Metropolitan).

Debate adjourned until next day.

ADJOURNMENT

Mr JENNINGS (Minister for Community Services) — I move:

That the house do now adjourn.

Blue Star Logistics: recruitment practices

Mr FINN (Western Metropolitan) — I direct a matter to the attention of the Minister for Industrial Relations in another place. It concerns a constituent, a young lady from the Western Metropolitan Region, whom I know because she is also my electorate officer. She has experienced very unfortunate circumstances which she outlines as follows:

The position I applied for was advertised on the Seek website late in March 2007 through a recruitment agency. The position was advertised as a service coordinator paying \$53 000 per annum, plus superannuation. My initial interview was cancelled due to the recruiter's ill health. My first interview went well, and I was invited back for a second interview. This time a member of staff from Blue Star Logistics also attended. After this interview I was contacted by the recruiter and offered the position with different employment conditions to those advertised. I was offered the position on a salary of \$40 000 per annum plus super and was told the advertised pay rate would apply after six months if my work was satisfactory. I turned down the job offer as I was concerned how I would be treated as an employee, given how they had changed the employment conditions on offer when I was offered the position.

This, to my way of thinking, is a matter of very grave concern. I do not know much detail about the Blue Star Logistics company, but if it is advertising positions and is then not coming through with the conditions and pay it is advertising, it is clearly in breach of some law. I ask the Minister for Industrial Relations to investigate this particular incident, to investigate if Blue Star Logistics is doing this on a regular basis, and to see if this company is responsible for leading young people up the garden path by false advertising of positions and

conditions of employment, which I am sure is something that is very close to the hearts of members of the government in particular, as indeed it is to me.

I do not mind telling members that in years gone by I have been ripped off by employers, and I am not keen to see these people get away with it, whoever and wherever they may be. I ask the minister in another place to investigate this particular company to see if it has a history of false advertising with regard to positions and to take whatever action is necessary to ensure that it never happens again.

Gippsland Community Legal Service: funding

Mr HALL (Eastern Victoria) — Tonight I wish to raise a matter for the attention of the Attorney-General in the other place concerning the Gippsland Community Legal Service, and particularly any lack of state government funding for the service.

By way of background, the Gippsland Community Legal Service was established in 2000, and as it states in its brochure it:

... aims to provide accessible legal services to the Gippsland community, with a particular focus on disadvantaged groups and those with special needs.

I am sure members, both metropolitan and country, will be familiar with the important role that community legal services play. The Gippsland Community Legal Service has its base in Morwell, but it also provides regular visiting services to places like Leongatha, Sale, Wonthaggi, Bairnsdale, Cowes and Warragul. It is totally funded by the federal government to deliver free legal services throughout the Gippsland region and at the moment has been staffed by two solicitors, a community development worker and an administrative coordinator.

It has surprised me to learn recently that the Gippsland Community Legal Service is the only rural-based legal community legal service that has not received any funding from the Victorian government, despite it having the largest catchment area of any rural legal service. The Gippsland Community Legal Service covers a number of areas of local government, including the shires of Bass, Baw Baw, South Gippsland, East Gippsland, Latrobe and Wellington, so it has a significant catchment across the greater Gippsland region.

Another other rurally based service is located in Warrnambool; Mildura has two services, one general and one for the Koori community; there is a service based out of Bendigo; another out of Albury-Wodonga;

another out of Ballarat and another in Geelong. Each of those other rural legal community services receives some level of state government funding, but for reasons not known to me the Gippsland Community Legal Service does not, despite the fact that it has the largest catchment. It has helped many hundreds of people over the years.

It also provides an education program. One of its recent initiatives is a Courtwise program which goes to some of the schools in the Gippsland region and provides information about what happens and the processes involved if young people are charged with an offence and have to go through a court process.

I ask the minister to ensure that the Gippsland Community Legal Service receives its fair share of state government funding. I do not think it is good enough that for no apparent reason it is the only rural-based service not to receive any funding from the state.

Aged care: Northcote facility

Mr BARBER (Northern Metropolitan) — My adjournment matter is for the attention of the Minister for Housing in the other place, Richard Wynne. I have recently had occasion to meet with tenants of Roberts Street Aged Care Accommodation, an Office of Housing site in Northcote, to discuss their needs in the proposed redevelopment of their facility. Their facility is in incredibly bad repair and is due for redevelopment. They have also previously had representations on behalf of Ms Lovell and Mr Drum, of which they have been most appreciative.

I am calling on the minister to maintain duty of care for these residents because of the concerns those residents have raised. I want to say sincerely that we know with aged and fragile residents, who often do not have a network of support and who may have a range of other issues that they are dealing with, such a move and a redevelopment can be very threatening to their health.

In fact Ms Hartland, who has recently worked as an aged-care worker in another Office of Housing estate, would confirm that the associated stress and uncertainty that goes with moving people in some cases could literally kill them. We have an enormously important duty of care to these individuals.

I understand the minister has recently received a submission from Jeff Fielder, a tenancy advice worker at the Housing for the Aged Action Group. I understand the residents got together, had an election and decided to form a committee amongst themselves. They have asked that the Housing for the Aged Action Group be

their representative. They said to me that it is the same as if they were employing a lawyer on their behalf. I also understand that many requests for meetings between the group and the minister have been made. I have written to the minister urging him to have that meeting as soon as possible. I am also asking the minister to recognise that the residents have got together as a group on how they want to be engaged in this process with the Office of Housing.

The minister should respect that and, I would argue, fund the Housing for the Aged Action Group to be their advocate, since that is the one the residents have chosen rather than relying on an employee of the Office of Housing to be the project worker for the site. I have seen redevelopments of other similar sites and know that the work of both the Office of Housing and any architects and consultants they bring in is not always what I would call up to standard.

The Pines multipurpose community facility, Doncaster: funding

Mr TEE (Eastern Metropolitan) — I ask the Minister for Victorian Communities in the other place, Minister Batchelor, to support funding for the Pines multipurpose community facility being built by Manningham council in Doncaster East. A funding shortfall has thrown the completion of this important local project into doubt. Beneficiaries of the project will include senior members of the community who attend the University of the Third Age, a university that provides courses on self-help, lifestyle, creative arts, computing and health and fitness to retired members of the community. This work is complemented by the important work of the Donvale Living and Learning Centre. Both of those community groups will be located at the new premises. This is an important community project which should be approached in a bipartisan way and should be supported by all tiers of government.

The majority of the funding for the \$6 million project is coming from the Manningham City Council. I am pleased that the previous Minister for Victorian Communities, Minister Thwaites, announced that \$600 000 would be put towards the project. Unfortunately the commonwealth has once again failed the local community — it has refused to contribute 1 cent to this community project. It has once again turned its back on the aged and the vulnerable in the eastern suburbs.

My request is that the Minister for Victorian Communities join with the Manningham City Council, which has already asked the commonwealth to

reconsider its mean-spirited approach. It is critical that this project not fall over because of the commonwealth's cold-hearted and tight-fisted approach. I note that the City of Manningham's request for help from federal minister, Kevin Andrews, has fallen on deaf ears. Mr Andrews has done nothing to help this project. He continues to ignore the plight of those in the electorate who are most in need. This is part of a continuing pattern of neglect by the commonwealth.

Drinking water quality: report 2005–06

Mrs KRONBERG (Eastern Metropolitan) — My adjournment question is to the Minister for Health in the other place, Ms Bronwyn Pike. The regulatory framework governing Victoria's drinking water quality consists of the Safe Drinking Water Act of 2003 and the Safe Drinking Water Regulations of 2005. The act recognises two types of water businesses — water storage managers and water suppliers. Water storage businesses supply water to suppliers, who in turn distribute drinking water and regulated water to the public. The Department of Human Services is responsible for the promotion of industry and public awareness and understanding of drinking water quality issues and is required to provide the Minister for Health with reports on drinking water quality in Victoria.

The annual report on drinking water quality in Victoria 2005–06 cites 193 water quality incidents and events reported to the department by suppliers during that period. However, only one of these incidents resulted in a notification of an illness. The source of the one notification of illness was Tallangatta, which is on the shores of what was once the Hume Weir. The illness was due to a plant malfunction that allowed an excess amount of aluminium to enter the water supply. Illnesses were characterised by so-called short-lived feelings of nausea. Other reported incidents have been recorded as being minor in nature and mainly due to the presence of E.coli bacteria and failures of disinfection equipment.

It has been reported that during the period 2005–06 the vast majority of Victorians had access to safe drinking water. However, there have been increases in the following parameters for water quality during 2005–06. They include: E.coli, turbidity, aluminium, trihalomethanes and dichloroacetic acid. Given the parlous state of water supplies across this state, I ask the minister to give the Parliament an immediate update on the quality of drinking water in this state and reported illnesses resulting from non-compliance events by water suppliers.

Planning: compensation liability

Mr DRUM (Northern Victoria) — My adjournment question this evening is to the Minister for Planning, the Honourable Justin Madden. I have recently received approaches from municipalities in regional Victoria which are concerned about a potential injustice contained in section 94(2) of the Planning and Environment Act. The section deals with who is legally liable for compensation when incorrect advice is given to councils by referral agencies such as the Department of Sustainability and Environment and that incorrect advice then leads to significant losses.

In one example brought to my attention two referral authorities applied to the Victorian Civil and Administrative Tribunal to have a planning permit cancelled after it was found that the two referral agencies themselves had given incorrect advice in the first place. These two agencies had failed to notify the Moorabool shire that a site in question was liable to erosion. Moorabool shire was then informed that it and not the referral agencies was liable for any resulting compensation. It seems as though the act makes the responsible authority liable in this case and not the referral agency. That seems to be clearly unjust and is gaining a lot of attention in local government circles. I call on the minister to investigate whether what I have laid out is the case, and, if it is the case, to get back to me with a potential course of action to see if we can rectify what seems to be an unfair situation.

Port Phillip Bay: channel deepening

Ms PENNICUIK (Southern Metropolitan) — My matter is for the Minister for Roads and Ports in the other place, Mr Pallas. In the supplementary environment effects statement (EES) for the channel deepening project the cost of the project is estimated at \$763 million. I have said publicly that on past records with major projects you could conservatively add 20 per cent to that, which would put the cost at \$915 million, or \$1 billion as a round figure.

The supplementary EES claims that the channel deepening project will generate \$1.9 billion of economic benefits, or only \$60 million per annum over 30 years. Despite claims from the Port of Melbourne Authority it is difficult to discern from the supplementary EES just what the real costs of the project are or where the so-called benefits are coming from to add up to \$1.9 billion. Examples are that there are no fuel savings on ships sailing and no stevedoring reductions.

Worse still, despite countless calls from the community and the recommendation from the independent panel that looked at the original EES, this supplementary EES has not provided an analysis of the economic value of activities around Port Phillip Bay, such as tourism, recreation and fishing. I say the risks to those activities from this proposal, on my reading of the supplementary EES so far, have been understated. I note though that the cost-benefit analysis claims costs to the dive industry of \$4.1 million and to commercial fishing of \$1.5 million, assuming that the impacts on these industries are correct — and I am not convinced of that.

The whole approach to this proposal has been flawed from the start. The government committed itself to it before the EES was done. It has dismissed and refused to look at alternatives such as inland ports and rail connections. It has refused to provide an assessment of the value of the activities around Port Phillip Bay on which many thousands of people depend — and they depend on the health of the bay remaining as it is or better — so that the people of Victoria can assess the economic value against the claims for channel deepening. My request of the minister is that he conduct an assessment of the commercial activities associated with Port Phillip Bay.

Lort Smith Animal Hospital: funding

Mr VOGELS (Western Victoria) — I raise an issue for the Minister for Agriculture in the Assembly, the Honourable Joe Helper. It concerns the Lort Smith Animal Hospital. On Thursday, 12 April, I attended the annual meeting of the Animal Welfare League of Victoria and heard first hand what fantastic work is done by the Lort Smith Animal Hospital. The hospital's mission is to provide quality care for lost, abandoned, mistreated, sick and injured animals; to provide care for animals of people with limited means; to promote responsible pet ownership; and to foster an awareness of animals and the benefits they bring.

What surprised me when I looked at the funding received by the hospital was that it does not receive any funding from the state government. Page 14 of its annual report is headed 'Donors' and states:

As we receive no government funding our work is dependent upon all those who support us with gifts and donations.

The action I seek from the minister is for the Department of Primary Industries to become a major sponsor of the Lort Smith Animal Hospital. For the last two years the hospital has run at a loss of about \$100 000 each year, and I think it would be fantastic if the state government could get involved with the hospital and become a major sponsor of this wonderful

organisation. It would show the board, which is headed by Dr Judith Slocombe, that we value the wonderful work the hospital does.

Tourism: Great Ocean Road

Ms PULFORD (Western Victoria) — I direct my adjournment matter to the Minister for Tourism in the other place, Mr Holding. It came to my attention late last month through an article published in the *Geelong Advertiser* that opposition tourism spokesperson, Ms Lovell, has been denigrating the Great Ocean Road's ability to attract tourists. Ms Lovell has been referring to 2004–06 data as proof that tourism numbers in regional Victoria fell because of the state government. The Great Ocean Road is one of Australia's greatest tourism attractions and this year celebrates its 75th anniversary. I am very proud that it sits along the coastline of my electorate of Western Victoria, and I am also proud that it plays a major part in attracting visitors to the state of Victoria.

I had the pleasure of being there only last week. It is a gorgeous part of the world, and everyone should see it — as people are doing increasingly. Contrary to what Ms Lovell has said publicly, visitor numbers along the Great Ocean Road are not falling — in fact, they have risen.

The executive director of Geelong-Otway Tourism, Roger Grant, is reported in this article from the *Geelong Advertiser* as saying:

The reason why she has gone back to 2004 is because it was a bumper year for tourism. But a lot has happened since then. There has been a whole decline in international travel since 2004 because of terrorism and war. We have copped that decline and are starting to build up.

The article further states:

Mr Grant said the number of international visitors having overnight stays on the Great Ocean Road lifted 15 per cent last year compared to 2005; domestic visitor night stays climbed 6.5 per cent.

Minister Holding recently launched a marketing program to attract people from Melbourne and regional Victoria to the Bellarine Peninsula and along the Great Ocean Road, called Come Back Down to Earth, which no doubt will attract even more visitors to the area, so why is Ms Lovell manipulating the figures to suit her political needs?

It seems to me that members of the opposition feel the need to talk down the state they claim to be so passionate about. Despite encouraging figures showing the Great Ocean Road is a popular place for people to visit, you can count on the opposition to attempt to

mislead the public into thinking that tourism is struggling under the Bracks Labor government when in fact it is recovering from a difficult phase.

The action I seek from the Minister for Tourism is that he write to Ms Lovell and explain to her how tourism numbers have risen since 2005 and how important the Great Ocean Road and western Victoria are in attracting visitor numbers to the state. Maybe then the opposition tourism spokesperson will understand that somebody in her role should be talking up the accomplishments of the state and tourism, not talking them down and insulting a hardworking and successful group like Geelong-Otway Tourism.

Ms Lovell — On a point of order, President, Ms Pulford started her contribution by saying I was denigrating tourism on the Great Ocean Road. I am personally offended by that. I did not denigrate tourism on the Great Ocean Road.

The PRESIDENT — Order! There is no point of order.

Health: HIV/AIDS education

Mr ATKINSON (Eastern Metropolitan) — I address my matter to the Minister for Health in the other place, but I would hope that the Premier might also have some oversight on this matter, given the recent circumstances surrounding the performance of the Minister for Health.

The issue that I wish to raise is the need for the Victorian government to begin advertising and education processes about HIV transmission in this state. I noticed an article in the *Australian* this morning which is apposite to other information that I hope to touch on in this adjournment debate — that is, that the government has failed to spend a \$2.7 million budget allocated in large measure to educational advertising in respect of the transmission of AIDS.

I note that the Victorian AIDS Council had prepared a series of advertisements that were backed by the federal government and which have been used in all other states, but were rejected by the health minister in Victoria as inappropriate for some reason. I am particularly concerned about this because I note that there has been a lot of recent publicity about individuals in Victoria and in South Australia who have been deliberately involved in trying to infect other people with AIDS.

After the news broke in Victoria I was approached by somebody who expressed concerns about certain gay venues in Melbourne and very high-risk behaviour in

those venues. Not being someone who is prone to sensationalism and thinking that I was being told an exaggerated version of what was going on, I actually went to the venue. I was horrified. There were many men — at least 50 or 60 men; I could not count them because the place was dark — who were involved with multiple partners on multiple occasions, as I understand because I did not stay very long, in anonymous sexual encounters involving very high-risk behaviour.

What concerns me is that many of those men will go home to wives or other partners, male or female, and there is a very real public health risk associated with these behaviours. Whilst the venue operators provide condoms and try to encourage the men not to behave in a way in which they would be open to infection, the reality is that their behaviour would have put them in that position. I think an advertising campaign is absolutely crucial in this state, and I urge the minister to instigate that.

Port of Echuca: silt deposits

Ms LOVELL (Northern Victoria) — I wish to raise a matter for the Minister for Tourism in the other place regarding silt deposits in the Murray River at the historic port of Echuca. The port of Echuca is a major icon of Victorian tourism and attracts around 75 000 visitors per annum. The historic wharf not only has heritage value but also is home to the largest paddle-steamer fleet in the world. The wharf is vital to the continuing success of tourism in northern Victoria.

Unfortunately the Murray River has a large silt deposit at the wharf, which is making it impossible for the paddle-steamers to access the wet dock. The silt has also extended to reach within 20 metres of the front of the iconic wharf. If it is left unattended, it is envisaged that the wharf structure could be surrounded by land within five years. The silt is currently creating problems for the paddle-steamers and needs to be removed. The cost of removing the silt is approximately \$60 000. It is a process that must be done every four years; it was done about four years ago.

A study has also been undertaken on the silt problem, and it has been suggested that bank alignment modifications may need to be undertaken to solve that problem in the long term. A further physical model study is needed to determine the extent of the bank realignment necessary, and this would cost between \$20 000 and \$40 000.

I recognise that the Murray River is technically in New South Wales and is the responsibility of the New South Wales government, but the river itself is vital to tourism

in the Echuca region and Victoria is the major beneficiary of the tourism benefits that the port of Echuca and the paddle-steamers based there bring, so this is an issue that gives the Bracks government an opportunity to show that it does care about regional tourism. We have just heard from Ms Pulford about regional tourism numbers and how the Bracks government has failed in 2005 and 2006 to achieve the numbers that were achieved in 2004, so we need more investment in regional Victoria.

My request is that the minister explore all possibilities to find a solution to this problem including, firstly, providing leadership by liaising with the New South Wales government to ensure that the dredging and longer-term solution can take place; and secondly, by providing funding for the immediate short-term solution of dredging as well as funding the physical model study for the longer-term solution of bank realignment modification.

Planning: compensation liability

Mrs PETROVICH (Northern Victoria) — I rise to speak today on an issue for the Minister for Planning, the Honourable Justin Madden. The issue relates to one raised previously by my colleague Damian Drum. It has been raised with me by the director of sustainable development, Mrs Veronica Schilling, of the Macedon Ranges Shire Council. It is also part of a program of support for the Moorabool Shire Council by local governments across the state.

This matter has arisen out of the case faced by the Moorabool Shire Council, which, like all responsible authorities, is required to seek input from referral authorities when seeking to issue a planning permit. In this case the Moorabool council was given incorrect information by the referral authority, and the council permit was issued erroneously. This council was then forced to cancel the permit when it became aware of the issue relating to erosion.

Council then sought a legal opinion which made it clear that any resulting compensation would fall on the responsible authority under the Planning and Environment Act 1987. Under section 94(2) of the act a council is currently liable to pay compensation to any person who has incurred expenditure as a result of cancellation of a permit and the associated cost. This is the case regardless of whether the fault lies with a referral authority.

The action I seek from the minister is that he, as the minister who is ultimately responsible for planning in the state of Victoria, protect local councils from the

potential cost implications of this faulty legislation. When councils rely on the statutory advice of other parties, I ask that the minister ensure that the referral authorities bear the compensation cost if the advice is incomplete or incorrect. I hope that the minister will undertake the appropriate review of this legislation.

Responses

Mr JENNINGS (Minister for Community Services) — I thank members for raising a suite of issues that reflect the rich tapestry of the state of Victoria, and I will make sure the issues they have raised will be passed on for the consideration and response of the relevant ministers.

Mr Finn showed great courage in identifying the worries of his electorate officer, who is obviously very keen to leave his employment and seek employment elsewhere. He drew the house's attention to the situation where he clearly does not have confidence in the federal workplace arrangements because he does not seek a remedy from the relevant commonwealth minister who has jurisdiction.

Mr Finn — False advertising!

Mr JENNINGS — False advertising is actually the responsibility of the Minister for Consumer Affairs, not the responsibility of industrial relations ministers, as Mr Finn is probably well aware. He obviously does not have confidence in the federal jurisdiction of the workplace arrangements and, in fact, is worried about potential — —

The PRESIDENT — Order! I remind the minister that we are not here to debate this.

Mr JENNINGS — I know. I am trying to draw the house's attention to the relevant matter and give an indication of how the minister is likely to respond, given the jurisdictional issues in this issue.

The PRESIDENT — Order! I am of the opinion that the minister is debating the issue. He is not to continue to debate it.

Mr JENNINGS — I envisage that the response Mr Finn may get will be in accordance with my reading of the situation in relation to jurisdictional responsibilities.

Mr Hall has raised a matter for the attention of the Attorney-General in the other place, seeking financial support for the Gippsland Community Legal Service which, as he drew to the minister's attention, is a legal

centre that has not been the recipient of state funding up until the present time.

Mr Barber raised a matter for the attention of the Minister for Housing in another place seeking his assistance to provide that the appropriate responsive care and attention to be given to the relocation of residents during the redevelopment of the Roberts Street facility in Northcote, particularly asking the minister to be respectful of the aspirations of those residents in terms of their participation in this process and who may represent them in relation to that issue.

Mr Tee raised a matter for the attention of the Minister for Victorian Communities in another place seeking his intervention and assistance, along with that of the Manningham shire, in relation to important community development within that municipality. He is asking that a fair load be shared by the various jurisdictions, whether it be local government, the state of Victoria or the commonwealth. He sought further assistance and intervention to ensure the appropriate contribution is made by the commonwealth government in relation to that project.

Mrs Kronberg raised a matter for the attention of the Minister for Health in another place seeking that she provide advice to the Parliament and the Victorian people in relation to an update on the quality of water that it is currently being distributed through the state of Victoria in accordance with the safe drinking water regulatory regime. I hope that the minister can respond to this issue.

Damian Drum and Donna Petrovich raised the same matter for the attention of the Minister for Planning. On face value it was quite a reasonable proposition in relation to the exposure that local councils may have in undertaking statutory obligations when in fact they are effectively subcontracting on to referral agencies and then being accountable for the advice of those referral agencies. It seems a reasonable issue to me, but I will pass that on to the Minister for Planning.

Ms Pennicuk spent quite some time trying to give her version of the cost-benefit analysis that should have been subject to be the supplementary environment effects statement that relates to the channel deepening program and asked the Minister for Roads and Ports in another place to perhaps revise his understanding of the cost-benefit analysis in accordance with that of her own.

Mr Vogels raised a matter for the attention of the Minister for Agriculture in another place. It may be the first of a number of requests coming from Mr Vogels in

relation to this matter because he is seeking sponsorship for the Lort Smith Animal Hospital and hopes the Department of Primary Industries might be the first cab off the rank. If not, we may actually hear from Mr Vogels again on the matter.

Jaala Pulford raised a matter for the Minister for Tourism in another place. In my time in this place it is the first time I have ever heard such a request. She sought that the Minister for Tourism write a letter to a member of this chamber to make sure she is well armed with information on tourism matters, particularly as they relate to the burgeoning tourism industry in Victoria and one of its highlights — the Great Ocean Road.

I will be extremely straight with Mr Atkinson's contribution, given the fact that the last time I was replying to matters raised in the adjournment debate he raised a matter which ended up in the newspaper. He actually displayed some degree of courage in outlining the degree to which he has been prepared to research a certain matter. He asked the Minister for Health to be appropriately supportive of educative endeavours in relation to the transmission of HIV and to make sure she is vigilant in ensuring that that information is well understood and distributed throughout the Victorian community.

Ms Lovell raised a matter for the attention of the Minister for Tourism, seeking his support in having silt deposits dredged and removed from the Murray River around the Echuca wharf. She drew the attention of the house to the importance of that development to the local tourism industry and sought the involvement of the government of Victoria to liaise with the New South Wales government to undertake that dredging or, alternatively, to ascertain the cost of that dredging activity.

The PRESIDENT — Order! The house stands adjourned.

House adjourned 6.32 p.m.

